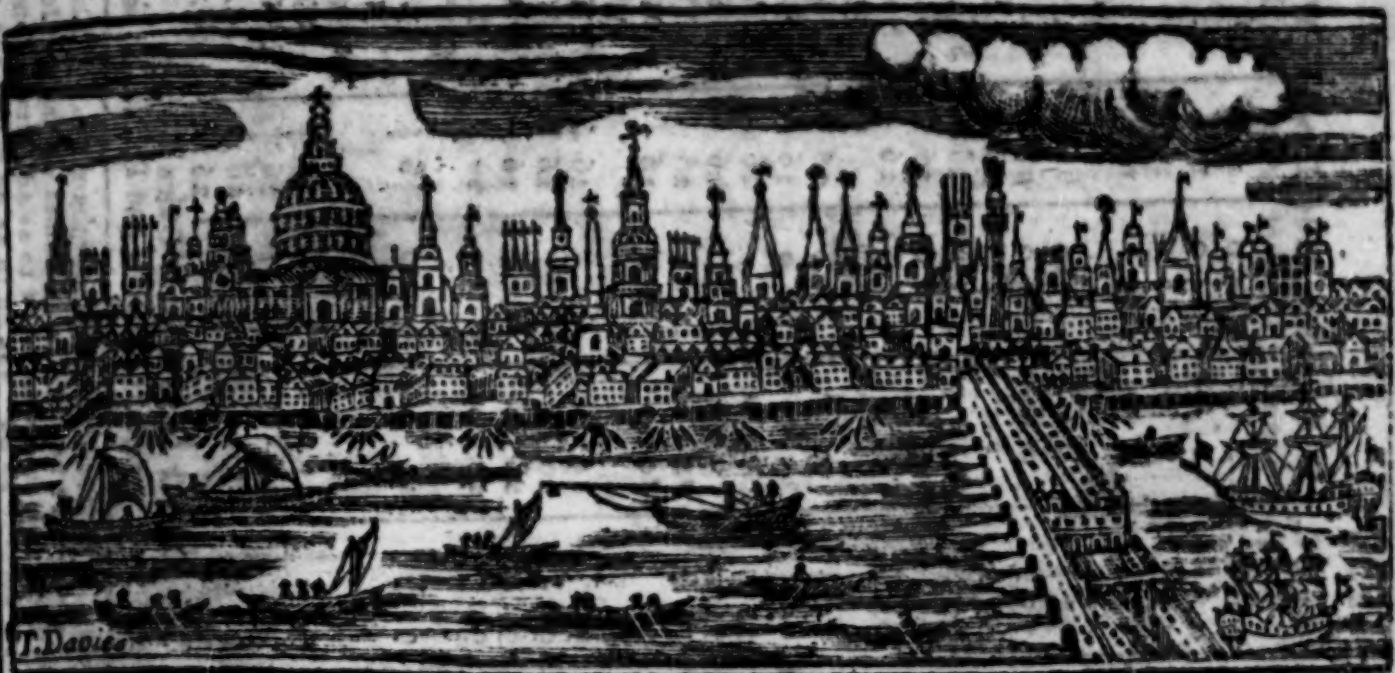


# The LONDON MAGAZINE:



Or, GENTLEMAN's *Monthly Intelligencer.*

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WITH

An ELEGANT PORTRAIT of the late Archbishop HERRING,  
And a Representation of  
BOURNE'S NEW INVENTED WAGGON,  
Models of the Carriage, Wheels, &c. finely engraved on Copper.

LONDON: Printed for R. BALDWIN, at the Rose, in Pater-noster Row.  
Of whom may be had, compleat Sets, from the Year 1732, to this Time, neatly bound, or stitched, or any single Month to compleat Sets.



PRICES of STOCKS, &c. in APRIL, 1764:

D	Bank Stock.	India Stock.	Sea Stock.	Old S.S. Ann.	New S.S. Ann.	3 per C. 1751	3 per C. reduced	3 p. conf.	C. 3 1/2 per C. 1756	3 1/2 per C. 1758	4 per C. confol.	4 per C. Navy	4 per C. Sbut	In. Bond prem.	Exc. Bills Discount	Long Ann.	Wind at Deal.	Weather
28	Shut	Shut	95	84 1/2	83 1/2	82 1/2	Shut	84 1/2	86 1/2	88 1/2	96 1/2	Shut	95 1/2	2 0	4 0	16	N. W.	rain
29	Shut	Shut	95	Shut	84	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	1 0	4 0	16	S. W.	fine
30	Shut	Shut	95	Shut	84	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	1 0	3 0	16	N. W.	fine
31	Shut	Shut	95	Shut	84	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	1 0	4 0	16	N. W.	fine
1	Sunday	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	Par	3 0	16	S. W.	fine
2	117 1/2	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	0 Dife.	3 0	16	S. W.	rain
3	117 1/2	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	Par	2 0	16	S. W.	fine
4	117 1/2	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	1 0 pr.	3 0	16	S. S. W.	fine
5	117 1/2	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	3 0	3 0	16	N. E.	fine
6	117 1/2	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	4 0	3 0	16	N. E.	cl. rain
7	Sunday	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	4 0	3 0	16	S&N.E.	rain
8	117 1/2	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	4 0	3 0	16	E. N. E.	ra. fine
9	117 1/2	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	5 0	1 0	16	E.	rain
10	117 1/2	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	6 0		16	S. W.	fine
11	117 1/2	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	6 0		16	S. S. E.	fine
12	117 1/2	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	14 0	2 0	16	S. W.	rain
13	117 1/2	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	14 0		16	W.	fine
14	Sunday	152 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	15 0		16	W. N. W.	fine
15	118	153 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	20 0		16	N. W. W.	rain
16	118	153 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	28 0		16	S. W.	rain
17	115 1/2	153 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	27 0		16	E.	fair rain
18	115 1/2	153 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	23 0		16	W. N. W.	fair
19	115 1/2	153 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	21 0		16	N.	fine
20	115 1/2	153 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	21 0		16	N.	fine
21	Sunday	154 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	21 0		16	N. N. E.	fine
22	115 1/2	154 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	20 0		16	N. E.	fine
23	115 1/2	154 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	20 0		16	E. N. E.	rain
24	115 1/2	154 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	12 0		16	E.	fair
25	115 1/2	154 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	12 0		16	N.	fine
26	115 1/2	154 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	12 0		16	N.	fine
27	115 1/2	154 1/2	95	84 1/2	83 1/2	83 1/2	Shut	84 1/2	86 1/2	89	96 1/2	Shut	95 1/2	12 0		16	N.	fine

**ROBERT T.** Bookfeller, and **Corrēt State Lottery Office** keeper, facing St, Dunstan's Church, Fleet-Street, where the Blanks and Prizes are bought and sold

Mark-Lane Exchange.	Basingstoke	Farnham.	Henley.	Guildford.	Warminster.	Devizes.	Gloucester.	Birmingham.	London.
Wheat 34s odd to 39s	51s. to 60l 1s	71 os to 81 10s.	91 os od load	10l. 15s load	34s to 48 qr	30s to 40 qu	4s 6d bushel	Hay per load 50 to 60s	
Barley 26s to 34s odd	41s. to 51s	55s to 66d qr	17s to 19 qr	18s to 22 qr	14s to 17	16s to 18 6d	as sd to 2s 4d	Straw from 56s. to 48s.	
Oats 20s to 24s odd	26s. to 31s	35s to 46d qr	17s to 19 qr	22s to 26 qr	10s to 14	15s to 18 6d	as 4d to ss 6d	Coals 42s. per chald.	





Engraved for the London Magazine.



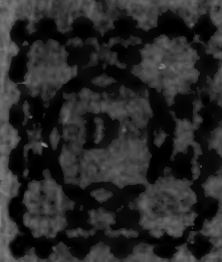


T H E

# LONDON MAGAZINE,

For A P R I L, 1764.

*The Life of the late most Reverend Dr. Thomas Herring, Lord Archbishop of Canterbury: With his HEAD finely engraved.*



R. Thomas Herring, late lord archbishop of Canterbury, was born at Walsoken, in Norfolk, in the year 1693; his father, Mr. John Herring, being then rector of that parish.

He was educated in the school of Wichech, in the isle of Ely, under the care of Dr. John Carter, afterwards fellow of Eton college.

In June, 1710, he was admitted into Jesus college, in Cambridge: Dr. Warren, afterwards rector of Caversham, and archdeacon of Suffolk, was his tutor.

While he was a member of this college, he took the degree of bachelor of arts. But seeing no prospect of obtaining a fellowship there, he removed himself, in July 1714, to Corpus Christi, or Benet college, of which he was chosen fellow in April, 1716. The year after he was created master of arts. He, and the learned Dr. Denne, now archdeacon of Rochester, were joint tutors there for upwards of seven years. Mr. Herring read the classical, and Dr. Denne the philosophical lectures.

He entered into priest's orders in the year 1719, and was successively minister of Great Shelford, Stow cum Ossington, and Trinity in Cambridge. In the year 1722, Dr. Fleetwood, then bishop of Ely, made him his chaplain. His lordship had generally preached himself at the chapel belonging to Ely house during the winter season; but in the decline of life when his health was greatly impaired, Mr. Herring preached for him; and this excellent prelate declared to his friends, that he never heard a sermon from Mr. Herring, but what he should have been

April, 1764.

proud to have been the author of himself.

On the 1st of October in the same year, viz. 1722, the bishop presented him to the rectory of Rettingdon in Essex; and on the 7th of December, to that of Barley, in Hertfordshire. In the year 1724 he took the degree of bachelor in divinity; and, about the same time was presented by his majesty to the rectory of Allhallows the Great, in the city of London; which, however, he gave up before institution.

In the year 1726 the honourable society of Lincolns-Inn, on the death of Dr. Lupton, chose him their preacher. About the same time he was appointed chaplain in ordinary to his majesty, and, in the year 1728, took the degree of doctor in divinity at Cambridge.

His sermons at Lincolns Inn chapel were received with the highest approbation by that learned and judicious society. They abounded with manly sense, were animated by the most benevolent principles, and adorned by his happy elocution and unaffected delivery. He seldom entered into the disputes canvassed among christians, having observed that these more frequently exasperate than convince. But he explained and enforced, with the utmost clearness and warmth, the fundamental duties of the christian life, which are so affectionately recommended in the gospel. He was of opinion, with a very ingenious writer, that "true religion is true reason, which smiles at pointed wit, mocks the scoffer's tongue, and is alike invulnerable by ridicule or rage."

Once, indeed, a great clamour was raised on account of his alluding to a popular entertainment, then exhibited at the neighbouring theatre, and presuming to condemn it, as of pernicious consequence in regard to the practice of morality and christian virtue. He was not singular in this opinion;

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Y 2



nion; and experience afterwards confirmed the truth of his observations, since several thieves and street-robbers confessed in Newgate, that they raised their courage, at the playhouse, by the songs of their hero Macheath, before they sallied forth on their desperate nocturnal exploits.

In 1731, Sir William Clayton, baronet, presented him to the rectory of Bleachingly, in Surry; and towards the close of the same year, his majesty promoted him to the deanery of Rochester, where he was installed February 5, 1731-2.

In 1737 he was advanced to the bishopric of Bangor; and, in 1743, on the death of Dr. Blackburn, was translated to the archiepiscopal see of York.

In the year 1745 the rebellion broke out in Scotland. The progress the rebels then made was so artfully concealed by their friends in England, that it was scarce known or believed that the Highlanders were up in arms, before certain advice came that they had defeated the king's troops at Prestonpans. The panic with which all were then seized, is well remembered.

[His grace's spirited and patriotic behaviour at the time of that rebellion, his remarkable speech and some extracts from his excellent sermon on perjury and rebellion, may be seen in our vol. for 1745, p. 486, 488, and his speech to his royal highness the duke of Cumberland, upon his return to York, after the victory of Culloden, in our vol. for 1746, p. 396.]

Archbishop Potter dying in the year 1747, Dr. Herring was translated to the see of Canterbury. His accession to the highest dignity in the church gave great joy to the friends of the present happy establishment, and to all lovers of christian liberty. In this high station he treated his friends with the same ease and courtesy as before: He knew how to condescend, without detracting from the reverence due to his character.

The learned Dr. Birch, in his dedication of the life of A. B. Tillotson to our excellent prelate, observes, "That he resembled him by his known reluctance to accepting the first station in the church, with this peculiar circumstance, of having before shewn the highest qualifications for it, by a conduct in the second, from which the

public safety received its earliest support at its most dangerous crisis."

The sentiments which Bp. Burnet\* tells us the same archbishop entertained of the chief end of the christian religion are no less applicable to those of our prelate.

"He judged that the great design of christianity was to reform men's natures, to govern their actions, to restrain their appetites and passions, to sweeten their tempers, compose their affections and raise their minds above the interests and follies of this present world, to the hope and pursuit of endless felicity: And he considered the whole christian doctrine as a system of principles all tending to this end. He looked on our contending about lesser matters, or about subtleties relating to those that are greater, as one of the chief practices of the powers of darkness to defeat the true ends for which the son of God came into the world."

No master was ever more carefully obeyed, or more cordially lamented, than he was by all his servants; and indeed he deserved it. He shewed himself a sort of father to them, by making in his will a very handsome provision, for all those who had lived any time with him.

In the year 1753 he was seized with a violent fever at Lambeth house, which brought him to the brink of the grave. And though he did in some measure recover, yet, from that time, he might be rather said to languish than to live. He retired to Croydon, declined all public business, as far as he could, and saw little other company than his relations and particular friends.

After languishing, as we have observed, for about four years, he calmly resigned his soul into the hands of his creator, on March 13, 1757, and was buried in a private manner in the vault of Croydon church, according to the express direction of his will.

He left to the incorporated society for the relief of the widows and sons of poor clergymen, the sum of one thousand pounds. And to the master and fellows of Corpus Christi college, in Cambridge, for the time being, the sum of one thousand pounds, old South-Sea annuity stock, intending it (to use his own words) as his acknowledgment for favours conferred on his relations, and as his contribution towards rebuilding

\* See the bishop's sermon, preached at St. Laurence Jewry, Nov. 30, 1694, at the funeral of Abp. Tillotson.



rebuilding the said college. But if, after the lapse of a competent number of years, no prospect arises of building the said college, then the dividends and savings, on the said stock, are to be disposed of at the discretion of the master, in the necessary repairs of the old house, or in acts of charity; such as helping poor scholars, or honest decayed servants. The master is to give an account, not subject to controul, at every annual audit, of the disposal of the dividends in the preceding year from the time of their commencement; so that, except in the case of rebuilding the said college, the abovesaid stock or an estate purchased therewith, at the discretion of the said master and fellows, be reserved for ever.

He improved the gardens at Bishopthorp, and gave a new clock to the turret. He restored the house at Croydon in a manner from ruins, and raised and beautified the gardens.

If I am rightly informed, he laid out above six thousand pounds in repairing and adorning the houses and gardens at Lambeth and Croydon.

He left a legacy to the earl of Hardwicke, in these words: "I beg the favour the earl of Hardwicke, my ever honoured friend, to accept my topaz seal, engraved by Yeo; and the head of Bishop Fleetwood, of Ely, painted by Richardson."

It will ever be remembered, to his lordship's honour, that the dignities conferred on this amiable divine, were owing to his unsolicited recommendation.

On a plain black stone, in the church of Croydon, is the following short inscription:

Here lieth the body of  
The most Rev. Dr. THOMAS HERRING,  
Archbishop of CANTERBURY,  
who died March XIII.  
A. D. M.DCC.LVII.  
Aged LXIV.

To the Proprietors of East-India Stock.

GENTLEMEN,

I did imagine the court of directors would have taken some means of laying before you, the letter which I sent them, on Wednesday the 23<sup>th</sup> ult. but finding they have not thought proper so to do, I think it my duty to communicate it to you in this public manner, the time not allowing of any other method. I have the honour to be, gentlemen, with the greatest

respect, your most obedient humble servant,

Berkeley-square,

April 2, 1764.

CLIVE.

To the Hon. Court of Directors, &c.

GENTLEMEN,

I T was agreed at the last general court of proprietors, that I should have a few days to consider and determine, concerning the terms upon which I would accept of the request of the preceding general court of proprietors, to take upon me the direction of their affairs in Bengal.

Although I thought I had sufficiently explained myself on that head, at the time the proposal was made; yet as there seemed to be a disposition in many of the gentlemen of the court, for whom I have the highest respect, that a reconciliation should take place between Mr. Sullivan and me, so that this gentleman might still conduct the affairs at home, and that I might, nevertheless, venture, without fear of my reputation, abroad; I thought the respect which was due to those proprietors, the duty I owe to myself, and the regard I shall ever feel for the interest of the company, all called upon me, in the strongest manner, once more to revolve in my mind, the possibility of such an union, consistent with the services I would endeavour to render the company, and consistent with that attention which is due to my own honour. This I have endeavoured to do in the coolest and most dispassionate manner, after laying aside every prejudice, and judging only from the constant experience of things. Upon the whole, I still continue to be of opinion, that in case the proprietors think it for their advantage, that Mr. Sullivan should remain at the head of the direction (or as he was pleased to term it himself, should continue him in the lead of their affairs) I cannot accept the service. But, in case the proprietors should not think it necessary to continue Mr. Sullivan in such authority, I am willing and ready to accept their service, even supposing the next advices should pronounce their affairs in Bengal, to be in as desperate a condition as ever they were in the time of Suraja Dowla. Should a direction be settled, with whom I can possibly co-operate, every thing will be easily adjusted, since I have no interested views in going abroad. At the same time I never desired, or even wished, to name a direction, as some industriously spread abroad; I only object to one man having the lead in the company's affairs, in whom I have so often and publicly declared I never can place any confidence, and who, in my opinion, has acted and does continue to act, upon principles diametrically opposite to the true interest of the East-India company. I have the honour to be, with great respect, Gentlemen, your most obedient humble servant,

CLIVE.

Berkeley-Square, March 28, 1764.

(See the Chronologer.)



An Account of all the PUBLIC DEBTS, at the Receipt of the EXCHEQUER, standing out January 5, 1764, with the annual Interest or other Charges payable for the same.

EXCHEQUER.	Principal debt.			Annual interest, or other charges payable for the same.		
	l.	s.	d.	l.	s.	d.
Annuities for long terms, being the remainder of the original sum contributed and unsubscribed to the South-sea company	1,836,275	17	10 ½	136,453	12	8
Ditto for lives, with the benefit of survivorship, being the original sum contributed	108,100	—	—	7,567	—	—
Ditto for two and three lives, being the sum remaining after what is fallen in by deaths	75,405	14	10 ½	9,143	12	—
Exchequer bills made out for interest of old bills	2,200	—	—	—	—	—
Note, The land taxes and duties on malt, being annual grants, are not charged in this account, nor the 1,000,000 l. charged on the deduction of 6 d. per pound on pensions, nor the sum of 1,800,000 l. charged on the surplus, anno 1764.						
EAST-INDIA Company.						
By two acts of parliament 9 Will. III. and two other acts 6 and 9 Ann, at 3 per cent. per ann.	3,200,000	—	—	97,285	14	4
Annuities at 3 per cent. anno 1744. charged on the surplus of the additional duties on low wines, spirits, and strong waters	1,000,000	—	—	30,401	15	8
BANK of ENGLAND.						
On their original fund at 3 per cent. from 1 Aug. 1743.	3,200,000	—	—	100,000	—	—
For cancelling exchequer bills 3 George I.	500,000	—	—	15,000	—	—
Purchased of the South-sea company	4,000,000	—	—	121,898	3	5 ½
Annuities at 3 per cent. charged on the surplus of the funds, for lottery 1714.	1,250,000	—	—	37,500	—	—
Ditto at 3 per cent. charged on the duties on coals, since Lady-day, 1719.	1,750,000	—	—	52,500	—	—
Ditto at 3 per cent. charged on the duties on licences for retailing spirituous liquors, since Lady-day, 1746	986,800	—	—	29,604	—	—
Ditto at 3 per cent. charged on the sinking fund, by the acts 25, 28, 29, 32, and 33 George II.	31,127,821	5	1 ½	1,027,588	5	8
Ditto at 3 per cent. charged on the duties on offices and pensions, &c. by the act 31 George II.	500,000	—	—			
Ditto at 3 per cent. charged on the additional duty on strong beer and ale, by the act 1 George III.	12,000,000	—	—			
Ditto at 3 per cent. charged on the sinking fund by the act 25 George II.	17,701,323	16	4	540,996	14	0
Ditto at 3 per cent. charged on the said fund by the act 29 George II.	1,500,000	—	—	53,343	15	0
Ditto at 3 per cent. charged on the duties on offices and pensions, by act 31 George II.	4,500,000	—	—	160,031	5	—
Ditto at 4 per cent. charged on the sinking fund by the acts of the 2d of George III.	20,240,000	—	—	820,985	—	—
Carried over	95,477,926	14	2 ½	3,240,298	17	10 ½



	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.	20.
Brought over	—	—	95,477,926	14	2	1	3,240,293	17	10	6										
Ditto at 4 per cent. charged on the additional duty on wines, &c. by the act 3 Geo. III.	2,300,000	—	—	—	—	—	3,500,000	—	—	—	140,000	—	—	—	—	—	—	—	—	—
Ditto at 4 per cent. in lottery tickets charged on the said fund by the said act	700,000	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Ditto at 4 per cent. to satisfy certain navy bills, &c. charged on the sinking fund by the act 3 Geo. III.	1,483,553	1	10	—	—	—	—	—	—	—	139,343	2	4	—	—	—	—	—	—	—
<p><i>Memorandum.</i> The subscribers of 100 l. to the lottery 1745 were allowed an annuity for one life of 9 s. a ticket, which amounted to 22,500 l. but is now reduced, by lives fallen in, to 18,354 l. 15 s. and the subscribers of 100 l. to the lottery 1746, were allowed an annuity for one life of 18 s. a ticket which amounted to 45,000 l. but is now reduced by lives fallen in, to 36,547 l. 10 s. and the subscribers of 100 l. for 3 l. per cent. annuities, anno 1757, were allowed an annuity for one life of 1 l. 2 s. 6 d. which amounted to 33,750 l. but is now reduced by lives fallen in to 32,485 l. 17 s. 6 d. and the subscribers for 100 l. for 3 per cent. annuities, anno 1761, were allowed an annuity for 99 years of 1 l. 2 s. 6 d. amounting, with the charges of management, to the bank of England, to 130,053 l. 10 s. 3 d. which annuities are an increase of the annual interest, but cannot be added to the public debt, as no money was advanced for the service; and the contributors to 12,000,000 l. for the service of the year 1762, were intitled to an annuity of 1 per cent. per annum, to continue for 98 years and then to cease, which with the charges of management to the Bank of Eng. amount to the sum of 121,687 l. 10 s.</p>																				
SOUTH-SEA Company.																				
On their capital stock and annuities 9 George I.	25,025,309	13	11	1	—	—	—	—	—	—	765,326	3	1	6	—	—	—	—	—	—
Annuities at 3 per cent. anno 1751, charged on the sinking fund	—	—	2,100,000	—	—	—	—	—	—	—	64,181	5	—	—	—	—	—	—	—	—
	129,586,789	10	1	1	—	—	4,683,177	11	—	—	—	—	—	—	—	—	—	—	—	—

By an Act passed in last Session of Parliament, entitled, An Act for preventing Frauds and Abuses, in relation to the sending and receiving of Letters and Packets free from the Duty of Postage,

IT is enacted, That from and after the first day of May next, so long as the revenue of the Post-office shall continue to make a part of the aggregate fund, no letters or packets shall be exempted from payment of postage, except as follow:

All such as shall be sent from or to the king's most excellent majesty. All letters and packets, not exceeding the weight of two ounces, sent from and to any places within Great Britain or Ireland, during the sitting of parliament, or within forty days before or after any summons or prorogation, which shall be signed on the outside by any member of either house of the parliament of Great Britain, and whereof the whole superscription shall be of his own hand writing, or which shall be directed to a member of either house, at any places of his usual residence, or at the place where he shall actually be at

the time of the delivery thereof, or at either house of parliament. All letters and packets not exceeding the weight of two ounces, sent from and to any places within Ireland, during the sitting of parliament, or within forty days before or after any summons or prorogation, which shall be signed on the outside by any member of either house of the parliament of Ireland, and whereof the whole superscription shall be of his own hand writing, or which shall be directed to a member of either house, from any part of Great Britain or Ireland, at any of the places of his usual residence, or at the place where he shall actually be at the time of the delivery thereof, or at either house of parliament. All such letters and packets as shall be sent from and to certain persons by virtue of their offices, under such conditions, restrictions and limitations, as in the said act is particularly expressed. It is likewise enacted, that all printed votes, or proceedings in parliament, or printed news-papers, sent without covers, or in covers open at the side, signed on the outside thereof, by the hand of any member of parliament, in such manner



manner as hath been heretofore practiced; or directed to any member at any place whereof he shall have given notice in writing to the postmaster-general, or to his deputy at Edinburgh or Dublin respectively, shall pass free of postage. The clerks in the offices of his majesty's principal secretaries of state, and certain officers in the office of his majesty's postmaster-general, may continue to frank such printed votes and proceedings in parliament, and printed news papers, in the manner they have heretofore been accustomed provided they be sent without covers, or in covers open at the sides: Any officer employed under the postmaster-general, shall have power to examine and search any packet sent without a cover, or in a cover open at the sides, in order to discover whether any other paper or thing whatsoever be inclosed or concealed in or with such printed votes, proceedings in parliament, and printed news-papers; and in case any such other paper or thing whatsoever, shall be found in or with such printed paper, or in case there shall be any writing, other than the superscription upon such printed paper, or upon the cover thereof, the whole of such packet shall be charged with the duty of postage. If any person shall, after the 1st day of June next, counterfeit the hand writing of any person whatsoever in the superscription of any letter, or packet, to be sent by the post, in order thereby to avoid the payment of the duty of postage, every person so offending, shall be deemed guilty of felony, and be transported for seven years.

*His Majesty's most gracious Speech at the Close of the Session, Thursday, April 19.*

My Lords and Gentlemen,

I Cannot put an end to this session of parliament, without returning you my thanks for the prudent and salutary measures which you have taken to extend the commerce, and to secure the happiness, of my kingdoms.

The assurances which I have received of the pacific disposition of the several powers with whom we were lately at war, and of their resolution to adhere inviolably to the terms of the late treaty, promise the continuance of peace abroad; and the firm and temperate exertion of your authority, joined to the constitutional and public spirited conduct which you have manifested on every occasion during the present session, will, I trust, establish at home due obedience to the laws, reverence to the legislature, and domestic union.

Gentlemen of the house of commons,

I thank you for the supplies which you have so cheerfully and unanimously granted. The ample provision you have made for the several services recommended to you, and especially for maintaining my fleet in a respectable state, will, I am confident, preserve to this nation its proper weight and influence, and give strength and security to all my dominions.

The wise regulations which have been established to augment the publick revenues, to unite the interests of the most distant posses-

sions of my crown, and to encourage and secure their commerce with Great Britain, call for my hearty approbation.

Your regard to publick credit, in discharging a part of the heavy debt contracted and unprovided for during the late war, without imposing on this kingdom the burthen of any new taxes, is particularly pleasing to me, from the tender concern which I feel for my people.

My lords and gentlemen,

It is the proper employment of this season of tranquility, to consider of the most effectual means for perfecting those works of peace, and plans of public utility, which have been so wisely and happily begun.

I recommend these important objects to your consideration during the recess. You may depend upon my constant endeavours for the success of these good purposes; as I shall ever esteem it my truest glory, to employ that power with which the constitution hath entrusted me, in promoting your real interests, and lasting happiness.

His majesty, the same day, gave the royal assent to the following bills:

To the bill for vesting the fort of Senegal, and its dependancies in the African company.

To the bill for ascertaining and regulating in what cases letters shall be sent or received free from the duty of postage.

To the bill for applying the money granted this session, for defraying the charge of pay and cloathing of the militia for one year.

To the bill for charging on the sinking-fund certain annuities, and for consolidating such said annuities as are granted for a certain term of years irredeemable.

To the bill for granting for a limited time, a liberty to carry rice from his majesty's provinces of South Carolina and Georgia to America.

To the bill for raising money by loans or exchequer bills.

To the bill to prevent frauds committed by bankrupts, and for extending the laws relating to hackney coaches to the counties of Kent and Essex.

To the bill to amend and reduce into one act of parliament, several laws in being relating to raising and training the militia.

To the bill to prevent inconveniencies arising in cases of merchants, and such other persons as are within the statutes of bankrupts, being intitled to privilege of parliament, and becoming insolvent.

To the bill for importing salt from Europe to Quebec for a limited time.

To the bill for granting a bounty upon the importation of hemp, and rough and undressed flax, from his majesty's colonies in America.

To the bill to enable his majesty, with the advice of his privy council, to order the free importation of provisions from Ireland during the next recess of parliament, or as the necessity of the time may require.

And to several road and naturalization bills; after which both houses were prorogued to the 21st of June next.

The



## The History of the last Session of Parliament, &c.

*The History of the Session of Parliament, which began Nov. 25, 1762, being the second Session of the Twelfth Parliament of Great-Britain; with an Account of all the material Questions therein determined, and of the political Disputes thereby occasioned without Doors. Continued from p. 127.*

HAVING now given some account of all the material bills brought in during the 2d session of the present parliament, which had the good fortune to be passed into laws, I come, in my usual course, to give an account of those which had not the same good fortune; and the first of this kind that occurs, was introduced as follows: February 11 there was presented to the house and read, a petition of the master, wardens, or keepers, and commonalty of freemen, of the mystery of coopers of the city of London, and of the suburbs, of the same; reciting the act 23d Henry 8, Ch. 4. *Concerning new making of barrels &c.* and alledging, that the provisions of the said act so far as they relate to the searching and gauging soap vessels (the making whereof is the principal branch of the trade of a cooper) has been virtually repealed, by the several subsequent acts for laying duties on soap; and that the number of vessels to be searched, viewed, gauged, and marked, by the petitioners wardens, and the profits thereof, having, in consequence of such virtual repeal, been greatly diminished, and the allowance by the said act made, for the search and gauging of vessels, being inadequate to the expence attending the same, the petitioners, about twenty five years ago, discontinued such search and gauging of vessels; but that they apprehended, if further powers were granted for the due searching, viewing, gauging, making, and marking of vessels used for sale of ale and beer, it would tend to preventing of frauds, and be of public utility; and therefore praying the house to take the premises into consideration, and grant the petitioners such relief, as to the house should seem meet.

This petition was referred to a committee, to examine the matter thereof, and report the same, as it should appear to them, to the house; and, as usual, with power to send for persons, papers, and records; presently after which, there was presented to the house and read, a petition of the master and keepers, or wardens, and commonalty,

April, 1764.

of the mystery, or art, of brewers of the city of London; alledging, that the petitioners had heard, with concern, that complaint had of late been made, of frauds and abuses in the making of vessels, wherein beer and ale had been put to sale, that, in order to prevent any such frauds and abuses, they had applied to the coopers company of London, and had requested the said company to put the act of the 23d of Henry 8 in execution; but the said company had informed them, that such act was become ineffectual for the purpose; and that the said company intended to apply to that house, to make provision for rendering the same more effectual; and that if proper regulations were established, for the due making, gauging and marking of vessels, made for sale of ale and beer, and sufficient powers given to compel the observance of such regulations, the same would prevent any occasion of such complaint, and greatly tend to the credit of the brewery, and the advantage of the fair trader, and would be of general utility; and therefore praying the house, to take the premises into consideration, and to make such provision therein, as to them should seem meet.

This petition was referred to the same committee, and for the same purpose; from which committee Sir Robert Ladbroke, on the first of March, reported, that they had examined the matter of the said petitions, and had directed him to report the same, as it appeared to them, to the house; whereupon it was ordered, that leave be given to bring in a bill to explain, amend, and render more effectual an act made in the twenty third year of the reign of Henry the 8th, concerning new making of barrels, kilderkins, and other vessels; and that sir Robert Ladbroke, Sir Richard Glynn, Mr. Alderman Harley, the lord mayor of London, Mr. Alderman Dickinson, Mr. Cooke, and Mr. Mawbey, should prepare, and bring in the same. On the 14th the bill was presented to the house by Mr. Alderman Dickinson, when



when it was read a first time, and ordered to be read a second time; after which it passed through this house in common course; and on the 29th, Sir Robert Ladbroke was ordered to carry it to the lords, and desire their concurrence, which their lordships did not think fit to grant; consequently the bill was lost for this session; but in some future session it may perhaps be brought in again, and pass into a law; for the allowance made by the said act of Henry 8 for viewing, gauging, and marking a beer or ale barrel, is certainly too small, as it is but one farthing *per* barrel. In those days, that is to say, in or about the year 1532, when a man might have a gallon of French wine for 8d. a pound of the best beef or pork for one half-penny, a pound of the best mutton or veal for three farthings\*; and a quart of the best strong beer or ale for a half penny or three farthings at most, a man might be satisfied with a farthing for viewing, gauging, and marking a beer or ale barrel; but in these our days, when a man must pay 20s. for a gallon of French wine, from 5d. to 8d. for a pound of the best beef, pork, mutton, or veal, and three-pence half-penny for the most common sort of strong beer, or ale, no man will, no man can afford to do so much work for a farthing, as every poor man must live by his labour, and consequently must have at least as much for his work, as will be sufficient for providing food, raiment, and lodging, for him and his family, during the time he is employed in doing it.

February 15 there was presented to the house and read, a petition of the gentlemen, clergy, and farmers, of Worcestershire, whose names were thereunto subscribed; setting forth, that as the laws then stood, the petitioners were restrained by certain penalties from drawing waggons, or wains, having wheels of less breadth than 9 inches, with more than four horses, or any cart with wheels of less than the same breadth, with more than two horses, or four oxen, upon any turnpike road, which they had found very inconvenient and distressing to them in the carrying on of their husbandry and farming business: and therefore, praying the house to take the premises into consideration, and to grant the petitioners such relief, and under such regulations,

as to the house should appear reasonable.

This petition was referred to a committee, to examine the matter thereof and report the same, with their opinion thereupon, to the house; with power to send for persons, papers, and records; and that all that came should have voices: and then there was presented to the house and read, another petition of several gentlemen, freeholders, tradesmen, farmers, and occupiers of land, in the same county, whose names were thereunto subscribed; but this petition, as soon as read, was ordered to be withdrawn.

On the 23d there was presented to the house and read, another petition of the several gentlemen, freeholders, tradesmen, farmers, and occupiers of land, in the same county, whose names were subscribed, on behalf of themselves and others, reciting much the same as in the said first petition; and further alledging, that the bye-lanes, which lead from the farms occupied by many of the petitioners, at three or four miles distance from any turnpike-road, are by means of the narrowness, depth in hollow ways, and soil thereof, impassable for broad wheels, and the widening and repairing of such bye-lanes, so as to render them practicable for broad wheels, would be an expence to the several parishes beyond what, in their present circumstances, they are able to bear; and that, notwithstanding the encouragement given by law, to the use of broad wheels, and the discouragement to narrow wheels, the turnpike roads in that county, on which broad wheels are used, have been much more damaged thereby than others of the like roads, where they have not been made use of, owing, as the petitioners apprehended, to the deepness of the soil in general, to the permitting broad wheel carriages to carry unlimited weights, to the scarceness of materials for amending the roads, and the insufficiency of the tolls of most, if not all the turnpikes to answer the additional expence, not to mention, that the generality of farmers are by no means able to go to the expence of providing themselves with broad wheel carriages, and horses able to draw the same; and that the petitioners apprehended, the laws then in being, had by no means, answered the good purpose intended by them, for the preservation of the turnpike roads in that county,

\* See *The Historical and Chronological Deduction of the Origin of Commerce*, p. 162.



county, but had, on experience, been found burthensome and distressing to the petitioners; and therefore praying &c. as in the first petition.

This petition was referred to the same committee; but before any report was made from this committee, that is to say on the 28th of February, it was after a debate, upon a division of eighty-three to sixty-two, ordered, that leave be given to bring in a bill for preserving and amending the turnpike roads of this kingdom, by enforcing the use of broad wheels; and that the Lord Strange, Mr. Stanley, Mr. Shuttleworth, and sir John Philipps, do prepare and bring in the same. Nevertheless, the committee, it seems, proceeded in their examination, and on the third of March, Mr. Dowdeswell reported their opinion, which was, that the petitioners had fully proved the allegations of their petitions; whereupon the report was ordered to lie upon the table; and on the same day a committee was appointed to consider the general laws then in being, for repairing and amending the high ways of that part of Great-Britain called England, and report their opinion thereupon, from time to time, to the house: To this committee all that came were to have voices; and at the same time another committee was appointed to consider of the general laws then in being, for repairing and amending the highways of that part of Great-Britain, called Scotland, and report their opinion thereupon, from time to time, to the house; to which all that came were likewise to have voices.

But as the said former order was not discharged, therefore, on the 8th, the Lord Strange presented to the house a bill for preserving and amending the turnpike roads of this kingdom, by enforcing the use of broad wheels: when the same was received, and ordered to be read a first time the next morning; but before this bill was next day read a first time, Mr. Fuller reported from the said committee for considering the highway laws of England, the following resolutions, as their opinion, viz.

1st. That for the future, the highways be amended by assessments, and not by the six days labour.

2d. That the justices of the peace be authorized to appoint general surveyors, with salaries within proper districts, to attend and direct the work

to be performed on the highways.

3d. That provision be made for paying, out of the said assessments, a proportionable part, instead of the work to be performed on turnpike roads.

As soon as these resolutions were read at the table, it was ordered, that the report be referred to a committee of the whole house for next morning; and soon after the making of this order, there was presented to the house and read, a petition of the high sheriff, grand jury, gentlemen, clergy, freeholders, and land-holders, of Oxfordshire; stating to the house several inconveniences, they alledged, would arise from the bill, which, they were informed was then depending, for enforcing the use of broad wheels; and alledging, that the roads in that part of the kingdom, particularly in Oxfordshire, were, as they conceived, very much damaged by the use of broad wheeled carriages, insomuch as the very great weights, which were usually carried on them, were greater than any materials found in that county could support; and that unless some limitations and restrictions were made prohibiting all broad wheeled carriages carrying more than a certain weight, to be allowed by act of parliament, many parts of the roads in the said county would become impassable; and therefore praying that the house would take the premises into consideration, and give such relief therein, as to them should seem meet.

This petition was ordered to lie on the table; and the order of the day being soon after read, the aforesaid bill was read a first time, and a motion made for its being read a second time; but after some debate the question was carried in the negative, by eighty-six to thirty-six. This success, perhaps, gave encouragement to the friends of the abovementioned petitioners, and therefore next day it was moved, that the report from the committee upon the Worcestershire petitions might be again read, and the same being read accordingly it was then moved, that leave be given to bring in a bill for the relief of persons using narrow wheeled carriages in husbandry, on the public highways and turnpike roads of this kingdom; but after debate, upon putting the question it was carried in the negative by a considerable majority; and then it was moved, that leave be gi-



ven to bring in a bill, for the relief of persons using narrow wheeled carriages in husbandry, on the publick highways and turnpike roads within the county of Worcester; but upon this motion too, the question was carried in the negative.

From hence it appears, that the second reading of the aforesaid bill was not refused by the majority, because they were against the bill, but because they were resolved to see what sort of bill could be framed from the three resolutions that had been reported as before mentioned; for on the 12th, according to order, the house, in a committee, took the report of these resolutions into consideration, made a progress and resolved to proceed further on the 15th, when Mr. Alderman Dickinson reported, that the committee had come to several resolutions, which they had directed him to report, when the house would please to receive the same; and the report being next day received, he reported the resolutions of the committee, which were the same with the first and third of the resolutions before mentioned, pursuant to which two resolutions, a bill was ordered to be brought in, and Mr. Fuller, Mr. Alderman Dickinson, Mr. Fairfax, Mr. Byde, Mr. Barrow, Mr. Buller, Mr. Cholmondeley, Lord Luxborough, Mr. Gray, Mr. Whitworth, Sir Charles Kemys Tynte, and Sir Richard Warwick Bampfylde, were ordered to prepare, and bring in the same.

According to this order, Mr. Fuller, on the 21st, presented to the house a bill for amending the highways by assessments, instead of the six days labour, when it was read a first time, and ordered to be read a second time, and to be printed. On the 24th it was read a second time and committed to a committee of the whole house for the 29th, when the order was put off till next morning, on which day the lord advocate of Scotland reported from the above mentioned committee for considering the highway laws there, that they had come to the two following resolutions, as their opinion, viz.

1st. That the laws of Scotland then in force, for the repairing of highways, were insufficient for that purpose.

2d. That for the future, the highways in Scotland be amended and repaired, by assessments in money, in lieu of the six days labour.

Which two resolutions being then read a second time, were agreed to by the house; and the said order being again put off till next morning, the 31st, the house resolved itself into the said committee, went through the bill with several amendments, and the report being then received, and read at the table, it was ordered, that such a number of copies of the said bill, with the amendments should be printed, as should be sufficient for the use of the members of the house.

Here this important bill was dropped for this session, at least, on purpose I suppose, that as every member would be possessed of a printed copy of the bill, with all the blanks filled up, they might, during the recess of parliament, communicate it to, and consult with their respective constituents, which is certainly the best way that can be taken for rendering any new law compleat and perfect; and for preventing any thing's being enacted that may be inconvenient for any particular subject, which is not absolutely necessary for the good of the whole. Therefore it is to be hoped, that we shall in the next or some succeeding session have broad wheels established by such a law as will prevent our parliament's being plagued with complaints against them, as it has often been \* heretofore; for when people find that they must pay for spoiling our roads by the use of narrow wheels, self interest and experience may perhaps get the better of that popular prejudice, which has been derived from their having been so long accustomed to use narrow wheeled carriages; and even farmers, when they find they cannot get their bye-roads made fit for their carriages, may resolve by degrees to make their carriages fit for their bye-roads; neither of which can be expected, whilst they are every year in hopes of getting their old prejudice indulged by a new law; for if the great Peter, the Czar, had left his people any hopes of preserving their beards, by his being induced to alter or repeal the law he had made, he had never been able to prevail with many of them to get themselves shaved; but they knew that as he maturely resolved, so he steadfastly persevered in every regulation he had once established.

March 4th, there was presented to the

\* See Lond. Mag, 1761, p. 180, and ditto, 1762. p. 241.



the house, and read, a petition of several merchants in London, planters of South Carolina, and owners of ships trading to his majesty's said province, in America; setting forth, that the said province, had, by experience, been found to be a very proper soil for producing rice to very great perfection, and for many years last past the produce thereof had increased, and would increase still more and more, to the mutual benefit of this kingdom and of the said colony, if markets were opened for the sale of that commodity, that could not then be supplied therewith, as the petitioners were, by the law, as it then stood, obliged to import it into Great-Britain, before it could be carried to the Madeira, Canaries, and other Isles of Africa, or to any part of America not subject to the British empire, where, the merchant would find a very considerable vent for this grain; but it was not then possible to supply those places, for besides, that it is extremely subject to weevil and worms, which destroy it in the length of time taken up in two voyages, the double voyage brings the freight too high for that commodity to bear; and that the African Isles were then principally supplied with rice by the Genoese, Leghornese, and other foreign merchants, from the Levant, who had it in their power, while American rice laboured under the weight of enumeration, to under sell the Carolina merchant; and that it was in vain to attempt the sale of what was the growth of that province, although superior in goodness, and had the preference in all markets where the price was not at too great a disproportion; and submitting to the house, that not only the trade (then in the hands of foreigners, to the great loss and detriment of the British dominions) would be enjoyed by his majesty's subjects, but that the great demand, the opening of these several markets would occasion, would promote the culture, and greatly encourage the production, of this valuable species of commerce, the good effects whereof would greatly redound to the benefit of Great Britain, by a necessary increase of the demand for shipping, the augmentation of a very advantageous and profitable freight, employment for greater numbers of seamen and mariners, and a greater consump-

tion of the goods and manufactures imported from the mother country; and therefore praying that rice of the growth of South Carolina might be taken from the enumerated commodities, so far as to be permitted to transport it, in ships navigated according to law, to the Madeira, Canaries, and to other isles of Africa, and to any part of America subject to the half subsidy.

This well drawn petition was referred to a committee, to examine the matter thereof, and to report the same with their opinion thereupon, to the house; and to have power to send for persons, papers and records; and that all that came to the committee should have voices. On the 7th an account was ordered to be laid before the house, of all rice imported into, and exported from, this kingdom, and to what place the same had been exported, for seven years then last past, distinguishing each year; which account, so far as related to England, was presented on the 14th, and on the 16th referred to the said committee. In the mean time, to wit, on the 10th of March, there was presented to the house, and read, a petition of several merchants residing in Bristol, and owners of ships trading to Carolina, of the same import, and concluding with the same prayer as in the former petition; and this petition being referred to the same committee, Sir William Meredith, by their direction, reported, on the 24th, the two following resolutions as their opinion, viz. That granting liberty to carry rice directly from South Carolina to the Madeira, and other African islands, would greatly tend to increase the culture and commerce of the said province. And that granting liberty to export rice directly from the said province, to the American islands and settlements, would greatly tend to increase the culture and commerce of the said province. The first of these resolutions was then read a second time, but a debate arising, it was ordered, that the further consideration of this report be adjourned till next morning; from which time it was by several adjournments put off till the 31st, when the house took the report into consideration, and a debate arising upon the first of those two resolutions, it was ordered, that the debate be adjourned till that day month. The second



second resolution being then read a second time, it was ordered, that the further consideration of the said report be adjourned till that day month; before which day the parliament was prorogued, so that this important affair was lost for this session, and thereby the promoting of the culture of one of our most useful American provinces delayed for one year at least. However, on the 18th of April, the account of all rice imported into, or exported from, Scotland, was, according to order, presented, to the house, an ordered to lie on the table for the perusal of the members of the house.

I have said that Carolina is one of our most useful colonies, and I say so, because it already produces some things, in large quantities, and may in time produce several other commodities which cannot be produced in this island, because of the coldness of our climate. So long ago as in 1753, they exported, in that year from South Carolina alone, 104,682 barrels of rice: In the same year they exported, 210,924 pounds weight of indico, the produce of which has been since greatly increased; for in 1756, they exported near 500,000 pounds weight\*; and this they did, notwithstanding the restraints they are under as to both these commodities; for as to indico they cannot freely export it to any place but to Great Britain. If they export it to any other British plantation, they must pay a duty of 2d a pound weight, before taking it on board; and to no other place can it be exported directly, no not even to Ireland, under pain of forfeiting it and the ship. Then as to rice they could not at first export it directly to any place but Great Britain or the British plantations; and in Great Britain it was to pay a duty of 5s. 4d. half-penny, *per* hundred weight, upon importation, whereof there was but 4s. 5d. repaid upon exportation, so that it went to every foreign market loaded with a duty of 11d half-penny *per* hundred weight, besides the expence, of freight and insurance for two voyages, of twice loading and unloading, and probably of two several commissions to factors; under such a load could any one expect, that Carolina rice could be sold at any foreign market, where rice of any other country could be met with? and we know, that no great quantity of rice ever was or ever can

be consumed in Great Britain. In these circumstances, therefore, no planter in Carolina could ever think of producing any large quantity of rice; but in 1730, upon their application to parliament, we were so wise as to pass an act, by which we gave them leave, under many restrictions, to carry rice from Carolina directly to any port in Europe to the south of Cape Finisterre.

I say under many restrictions, for by that act no rice can be carried from Carolina to any port in Europe to the south of Cape Finisterre, but in a ship that was cleared outwards from some port in Great Britain, whose master had, before clearing, taken out a licence, under the hands of at least three of the commissioners of the customs, for leave to do so, which license they are not to grant, unless a certificate be produced from the collector and controller of the port from whence the ship is to sail, of the master's having given bond, with one or more securities, in the sum of 1000 or 2000*l.* according to the burthen of the ship, that no enumerated goods of the growth, production, or manufacture of any British plantation in America, shall be loaded on board such ship at Carolina, or at any other British plantation in that part of the world; that such ship shall proceed directly, with all the rice so loaded, to some port of Europe to the southward of Cape Finisterre, and there land the rice; and that after landing it, the ship shall proceed for Great-Britain, before she returns to any of the plantations in America. Beside these, there is a multitude of other punctilio's by this act prescribed, all of which are to be exactly observed under the pain of grievous forfeitures and treble costs, which must put the exporter to great trouble as well as expence; and in addition to this expence, so soon as an account arrives of the rice shipped in Carolina, our custom-house here may demand from the master's securities payment of that moiety of the old subsidy which still remains a load upon all goods imported into, and afterwards exported from, Great Britain; which moiety must be paid within thirty days after demand, or the bond forfeited with treble costs.

Yet notwithstanding all these restraints and all this trouble and expence, the production and export of rice in and from Carolina

\* See Introduction to Ditto Historical Deduction, p. xix.



Carolina, has been annually increasing ever since the passing of this act, which, by the bye, I must observe, expires at the end of the first session of parliament that shall happen to meet after the 29th of September, 1767. But before that time, I hope it will be continued, if not then made perpetual; and as it has been long since extended to Georgia, I hope, it will then be extended to our new colonies of East and West Florida, which should be done as soon as possible, in order to encourage and promote the planting of that extensive country, wherein, as well as in Carolina and Georgia, many things may be produced that can never be produced in this cold climate. And as we have by experience found the good effects of this act, with regard to many of the ports to the southward of Cape Finisterre, I can suggest to myself no reason of a public nature, why the first of the two resolutions before mentioned should not have been agreed to: There might, indeed, have been some danger in agreeing to the second, because from the Dutch and French islands, the people of Carolina might have found means, notwithstanding any prohibition we could interpose, to supply themselves with sugars, rum and melasses, to the disadvantage of our own sugar islands; and with several sorts of foreign manufactures to the disadvantage of the manufactures of this kingdom; which danger was the more to be apprehended, as these commodities may be had, to our misfortune, at a cheaper rate, in those islands, than they can be had either in this kingdom, or in any of our American settlements.

This was the true reason for our obliging the rice ships from Carolina to proceed, after landing their cargo at any foreign port, for Great Britain, before they returned to any of the plantations in America; but if a ship should be allowed to carry rice from Carolina directly to any of the foreign islands or settlements in America, for example to Vera Cruz, the Havana, or Cape Francois, it would be ridiculous to oblige such a ship to proceed, after landing her cargo, for Great Britain, before she returned to any of our plantations in America; and if she were allowed to return directly to any of our plantations, the consequence would probably be as I have mentioned. This likewise was originally in part

the true reason for our not allowing the produce of our American settlements to be carried directly to any foreign port, and at last introduced the term, enumerated commodities, into our law-books; for explaining of which I must observe, that immediately after the restoration, the mean and mercenary consideration of a mercantile profit, began to be, in our politicks, connected with the noble and generous consideration of dominion: It was resolved that this kingdom should not only have the dominion of, but that it should make a mercantile profit by every colony that had been, or should be established by our people in America. This turn in our politicks was probably introduced in the preceding extraordinary period, when our councils were chiefly directed by men of mean birth and low education: However it was upon the restoration adopted, and in that very parliament which brought about the restoration, a law was made, by which it was enacted, that no sugars, tobacco, cotton-wool, indicoes, ginger, fustick, or other dying wood, of the growth of any English plantation in America, Asia, or Africa, shall be transported to any place, other than to some English plantation, or to England, Ireland, Wales, or Berwick, under pain of forfeiture of ship and goods. And that for every vessel sailing from England, Ireland, Wales or Berwick, bond shall be given, with one security to the chief custom-house officer at the port, in 1000 or 2000*l.* that if she load any of the said commodities at such plantations, she shall bring them to some port of England, Ireland, Wales, or Berwick; and for every vessel coming to such plantations, the governor shall, before she be permitted to load, take such bond aforesaid that she shall carry such commodities to some other English plantation, or to England, &c.

[To be continued in our next.]

*On the Benefit of laying up a Store of Turneps against the Winter.*

I Have, in my time, sown a great deal of land in turneps, and have applied them with great advantage to various uses; but our chief reason for cultivating them in this county is for feeding and fattening sheep.

It is almost needless to say, that they answer this purpose extremely well: Their use is too well known to all the eastern



eastern farmers, to be in these days controverted.

We have various methods of spending them: Some fold their sheep on the land where the turneps grew; I have done this, but it is not a method I approve of: However, for the benefit of such farmers as chuse to practise it, I shall give one caution; which is, that they use wicker hurdles for folding their sheep, which will otherwise be apt to thrust their heads through the bars, and, strangling themselves, are by that means often killed in the night, to the great loss of the owner.

If, however, it should not be convenient to the farmer to get these wicker hurdles, but he should be obliged to take up with those made of reft stuff in form of a gate, let him then be careful, when he has set his hurdles and staked and bound them tight, to pull up all the turneps that grow within two or three feet of the outside of the fold, and throw them over the hurdles for the sheep to eat within-side.

This will take away any temptation the sheep may have to put their heads through the bars, and they will, by that means, escape the danger of being strangled.

Every animal is fond of liberty; and though the sheep will bear confinement, perhaps, better than any other creature, yet whoever has seen them when first driven into the fold, must have observed that they naturally go round the hurdles to try to find an opening to get out at: By this means the turneps which grow near the hurdles are trampled on, dirtied, and spoiled. For this there is a very easy remedy; let the shepherd only pull up all the turneps that grow near the inside of the hurdles, and all will be well.

I observed before, that I am not fond of giving my sheep turneps as they grow: I think it much the better way to have them pulled; by this means they have an opportunity of eating the whole root, and my stock of winter-fodder goes much farther; whereas, when they feed on the turneps as they grow, they generally scoop them out, and leave a hollow shell in the ground, which, though it may afterwards be forked up, the sheep will scarcely even by hunger be induced to touch,

as it cannot but be soaked by the dung urine, and dirt, from the feet of the sheep.

I find it then the best way, to have my turneps pulled before they are given to my sheep; they go much farther, and do them more good.

But in this method there is one seeming inconvenience, which is, that in frosty weather, when the ground is hard, I cannot have them pulled; yet this difficulty is very easily removed, by laying up, at the beginning of the winter, a sufficient store of turneps, secured from wet, and not much exposed to frost.

I think it worth while to have a building particularly dedicated to this use, and find it answer well: It is built in form of a small barn, and boarded round.

In the beginning of the winter, before the frost sets in, I have a large quantity of turneps pulled, and the dirt is carefully scraped off them; and, after cutting off the heads and tap-roots, I cause them to be regularly laid in my store, with this caution, however, that all round the sides, next the boarding, my men lay straw, to keep out the frost. The heads, or tops, I give to all my cattle in general, as they are cut off; by which means I, in fact, suffer no loss.

I find these store turneps a happy resource, when hard weather comes on; then I open my repository, and deal them out to my sheep in such a manner that there may be no waste; and as soon as the weather breaks, and the earth becomes less hard, I resort again to the fields, and have them pulled as usual.

For some years I had another manner of storing my turneps, which was by digging a deep pit in a sandy, dry field, which being filled with turneps, they kept there very well; yet, as this method was subject to many inconveniencies, I left it off.

I have discovered another use for the turnep, besides feeding my sheep, oxen, and cows with it, which I must mention before I conclude this letter. I find it agrees remarkably well with hogs, which will eat of it greedily, and thrive on it apace.

I have several times tried this, and have often killed fine young porkers that had for many weeks eat nothing but



but turneps boiled in swill, or wash, till they were tender.

I have at other times given turneps to large hogs, that have been put up to fatten, in order to their being killed and salted for family use; and here I was not disappointed in my hopes: they always came on well: But I made it a custom to give them, for a week or two before they were killed, a few bushels of boiled peas, in order to harden their fat, that it might not boil away in the pot.

I gave them boiled peas rather than raw, because, having been long used to eating the soft turnep, I found they did not afterwards take kindly to the hard, raw pea.

Hogs may easily be brought to eat raw, unboiled turneps; but it is much better to boil them when the hogs are to be fattened; for, though they will eat enough of them raw to keep them in tolerable good plight, yet they will not eat enough to fatten them apace.

C. K.

Norwich, Dec. 2, 1763.

*On the Method of burning Clay, and of the Benefit of it when used as a Manure.*

I observed our lands, (for I then lived in a wet clay country) after having borne three crops of corn, which is the common method of husbandry in those parts, produced good quantities of grass for two or three years, after which the ground began to fadden and then the produce diminished, and rushes grew in abundance.

This led me to think, that whatever would contribute to keep the particles disunited would be of great service; and, further, I imagined, that clay or soil burnt would never re-unite; which proved a fact: moreover, that the salt it gained by passing through the fire would enrich the land, which appeared from its produce when denuded; though I never approved of that husbandry, as the soil was thereby diminished, which is already too thin in that country. This determined me to attempt burning clay, which I did in the manner following.

I caused a labourer to dig as much clay as made a number of walls of nine inches high, and of the same thickness, and the same distance from each other, in a parallel direction, as would make

April, 1764.

about a square of three yards: These vacancies, being like tunnels of brick-kilns, I filled with brushwood, and on that threw some cinders, or small-coal of which I had sufficient quantities, then, living nigh some collieries; after which I covered the whole square with clay about three inches thick, leaving the ends of the tunnels open, which I then lighted on the windward-side: as soon as the fire had got sufficient head, I stopt the mouths of them; and when I perceived the covering was almost burnt through, I had a small sprinkling of cinders, or small-coal, thrown on the heap, and then another covering of clay of the same thickness; and thus I went on till my fire was seven or eight feet high.

When I found my fire was very well kindled, which was commonly about the time I put my second coat on, I used to enlarge the base of the fire, by continuing the tunnels, and by adding new ones to the sides, (which were filled and covered as the others, and then lighted) till I made my fire about seven yards square; for I soon found it never burnt well in the middle if it was so large at first.

Care should be taken the labourer does not put on too thick a coat at once, as it will be apt to smother the fire: besides, by confining the heat in too much, the clay was apt to run and vitrefy, which was then of little use.

As soon as the heap was sufficiently cool (for the sooner it is laid on the land the better) I put about ten large cart-loads on a statute acre, and found it an admirable manure for either meadow, pasture, or corn: For the latter it will not last more than three crops, though longer for the two former: And with this I have made prodigious improvements; but I don't believe it will answer for a sandy soil, as it will render it still lighter.

This manure I burnt all times of the year though slower in the winter than summer, but always fastest in windy weather.

This, I fancy, may be burnt with brush-wood, or furze only; which I apprehend may answer better between the coats than coal, as it will keep the clay more open.

Jan. 25, 1764.



*The adventures and distresses of Marius after his banishment; from Hooke's Roman History.*

**I**N the evening of that day on which he made his escape, he arrived at a villa of his own, called Salonium, and from thence sent his son to some neighbouring farms belonging to his father-in-law Mucius, there to provide necessaries for their voyage. He himself went in the mean time to Ostia, where his friend Numerius having prepared him a ship, he, without staying for his son, but taking with him Granius, his wife's son by a former husband, weighed anchor. Passing along the coast of Italy with a favourable wind, he was in no small apprehension of one Geminius, a man of great interest at Tarracina, and his enemy. He therefore had the sailors keep off from that place; and they were willing to obey; but the wind changing, and blowing hard from the sea, and their vessel being scarce able to resist the waves; Marius too, being indisposed, and sea-sick, it was with great difficulty they could get so far as Circeii, on this side of Tarracina.

The storm now increasing, and their provisions failing, they went on shore, and wandered up and down they knew not whether; avoiding, as it usually happens in great dangers, the present evil, and relying on uncertain hopes. The land and the sea were both perilous; they feared to meet with people, and yet, wanting food, feared more to meet with nobody. Towards night they light upon a few poor herdsmen, who unhappily had nothing to give them: but knowing Marius, they advised him to get away as soon as possible, for they had seen a party of horse in search of him. Marius seeing that his attendants, spent with long fasting, were unable to go farther, turned aside out of the road, and hid himself in a thick wood, where he passed the night in great distress. The next day, though pinched with hunger, yet willing to make use of the little strength he had left, he travelled by the sea-side, encouraging his companions by prophecies, upon which he said he depended. He told them that when he was a child, he brought home an eagle's nest, in which were seven young ones, and that his parents-much astonished at the accident, (for it is said, that an eagle never hatches

more than two) having consulted the diviners, these had declared, that he would be the greatest amongst men and be seven times possessed of the highest magistracy in his country.

When he and his company were now about two miles and a half from Minturnæ, they espied a troop of horse making towards them with all speed, and, at the same time, two ships pretty near the shore. Hereupon they ran as fast as they could to the sea, and plunging themselves into it, swam to the ships. Granius, and those that were with him, got into one of them, and passed over to the opposite island called Ænaria. Marius, heavy and unwieldy, was, with much difficulty, borne above the water by two slaves, and put aboard the other ship. In this instant, the soldiers arrived at the sea-side, and from thence called out to the mariners, to bring their vessel to shore, or else to throw out Marius. He on the other hand, besought them, with tears, not to deliver him up to his enemies. The mariners, after a consultation, wherein they inclined sometimes to the one side, sometimes to the other, at length answered positively they would not deliver up Marius. But soon after the soldiers were gone away, and out of sight, the sailors brought the vessel to an anchor, at the mouth of the Liris, where it makes a great marsh; and then they advised Marius to go on shore, and refresh himself, till the wind should come fair, which they said, would soon happen, for that when the sea breeze fell, there generally arose a fresh gale from the marsh. Marius listened to their advice; and when they had set him on shore, he laid himself down in a place not far from the sea, not in the least suspecting what was to befall him: for the mariners, presently after weighed anchor, and sailed away; not thinking it excusable to deliver Marius into the hands of those who thought to destroy him, nor consistent with their own safety to protect him. Deserted thus by all, he lay a good while silent on the ground: At length collecting the remains of his strength, he got up and travelled along most disconsolately. After wading through bogs, and ditches full of water and mud, he at last stumbled upon an old man's cottage, who worked in the fens. Failing at his feet, he besought him to give assistance to a person who



if he escaped the present danger, would make him returns beyond his expectation. The poor man, whether he had formerly known Marius, or were then moved, says Plutarch, with the majesty of his countenance, answered, "If you want only rest, you may repose yourself conveniently in my cottage: but if you are flying from an enemy, I will hide you in a more retired and secret place." Marius having desired he would do him that good office, the old man led him to a cave by the river side, and there covered him with reeds, and other light things, which would conceal, but not burden him. Scarce had he laid himself down when he was disturbed by a great noise from the cottage. His enemy, Geminus, had sent horsemen from Tarra-cina in pursuit of him, and some of them happening to come that way, most severely menaced the poor old man, as one who had entertained and concealed an enemy of Rome. Marius, thinking himself in imminent danger, stripped off his clothes, and leaving his concealment, plunged himself into a great pool of water. From thence his pursuers dragged him naked, and all covered with mud, and, in that condition, carried him away to Minturnæ, where they delivered him into the hands of the magistrates. There had been published throughout all the towns of Italy, a decree of the senate, importing, that search should be made for him, and that he should be put to death, if he were found. The magistrates therefore in obedience to this decree, cast him into prison, and sent a slave belonging to the public, a Cimbrian by birth, to cut off his head: for none of their own citizens would undertake the office.

Several authors have reported, that Marius, seeing the slave enter the prison, said to him with a strong voice, "hast thou the audaciousness to kill Marius?" And that, at these words, the Cimbrian instantly ran away into the town, and throwing down his sword before the people, cried out, "I have not the power to kill Marius:" nevertheless, it would seem, from certain passages in Cicero, that this story is an invention of some of the latter writers: Be that as it will, the Minturnenses furnished Marius with a ship and provisions; he sailed first to Ænaria, where having found Granius,

and the rest of his company, that had escaped thither, he, together with them steered his course towards Africa. Want of water forced him to put in near Eryx in Sicily. A Roman Quæstor, who guarded that coast, fell upon Marius at his landing, slew sixteen of his men, and was near taking him prisoner. The illustrious fugitive, however, at length arrived in Africa, and went on shore near Carthage, in the hope that Sextilius, the prætor of that province, a man to whom he had done neither good nor harm, would, out of mere compassion, assist him in his distress. But scarce was he landed, when an officer from Sextilius, forbid him to set foot in that country, and declared to him, that if he did not obey, he would be treated conformably to the decree of the senate, as an enemy of Rome. Marius, struck with astonishment at this message, remained a considerable time without speaking a word, his eyes fixed upon the messenger. The man at length asked him, what answer he should carry back to the prætor: "Go tell him (said Marius) that you have seen Marius an exile from his country, and sitting among the ruins of Carthage:" Meaning by this, says Plutarch, to propose the fortune of that city, and his own fortune, as instructive lessons to the prætor. He went again on board, and wandered about in these seas a great part of the winter. His son Marius, who had taken refuge in the court of Mendrestal, or, as Plutarch calls him, Hiempsal, king of Numidia, came from thence, and joined his father."

[The recital of such distress cannot but move our pity; but we lose all compassion for the sufferer, when we reflect on the cruelties which in revenge he practised at his return, and which he carried to such an excess of butchery, that his soldiers made it their practice to murder every man whose salutation Marius did not return: so that even his friends never approached him but with terror.]

*An Account of the Colica Pictonum; or the Dry Belly-Ach. (Continued from p. 107).*

C H A P. XXV.

*Cure of third remote Cause.*

**T**HE juice of most fruits newly pressed contain an essential acid salt,



salt, by so much the thicker and more copious, by how much sourer the fruits are—these are very hurtful in the gout and rheumatism. The mucus of the bowels washed away by their saponaceous quality, will lay the nerves bare. The bile itself becomes corrupted, hardens, and stagnating in the liver, is a farther cause of irritation.

Long before this distemper shews itself by the violence of pain, the patients become languid, weak, pale, and cachectic; the red part of the blood is gradually impoverished: There is little room in this case, to suspect a plethora.—

Who would attempt bleeding, strong vomits, or rough irritating purgers? The distemper moves on gradually, nor breaks out till it has first taken very deep root. The bile, the chief cause of this sharp disease, rendered more acrid by its lodgment, admits of no rough methods, which would greatly injure the friable substance of the liver, the adjacent nervous parts, and hepatic plexus, which is very irritable. Laxatives alone should be given; for irritating medicines would but bring on constipation. However in order to dislodge the bile from the liver, we may venture upon a grain or two of tartar emetic, diluted in a pretty large quantity of water; but it must be done with care and prudence; after which exhibit an opiate.

Mild and emollient fomentations relieve the most obstinate spasms, oily and soft cataplasms and clysters, repeatedly administered, are of infinite advantage. In case the patients be weak, languid, and pale, abstain from semicupia.—I twice saw oedematous swellings happen in consequence of such treatment. *Re. Syr. ros. solut. ʒi. Ol. Amygd. d. ʒiij. v. o. q. s. f. linctus, cochlearia duo larga omni bihorio*; this is a pretty eccoprotic, grateful, and pleasant, and will fully answer the purpose intended. A spoonful of oil of olives has often answered most surprisingly: water-gruel, or barley-water sweetened with syrup of marshmallows, constitutes an agreeable, as well as wholesome, beverage.—

The acid in the first passages entirely disclaims the use of acescents. If the body be open, and the pains relieved, veal broth boiled with barley will be proper, even milk will be safe and commendable, of the lighter sort, provided it be mixed with Seltzer water. We should pursue this method for some

time, so as to dislodge the bile entirely from every part of the liver. Chalybeate waters, and riding on horse-back, continued for a full month at least, will contribute greatly towards the cure. Under these circumstances we should be extremely careful how we direct blisters.

To the AUTHOR of the LONDON MAGAZINE.

S I R,

I Admire the author of the humane and publick spirited proposal, inserted in your Mag, for Jan. last, for his tender sentiments and charitable compassion for insolvent debtors who are confined in prisons\*, and who in my opinion are the greatest objects of charity it is very surprising that any creditor should be so void of humanity as to confine a poor debtor, when there is not the least probability of getting his debt paid by it; but I know such is the rancour and ill nature of some creditors, that they will use their debtors in this manner, tho' contrary to their interest and all the sentiments of humanity; but at the same time it must be allowed that by far the greatest number of creditors, either through interest or humanity, act very differently and I think I may venture to say that at most there is not one in ten of insolvent debtors sent to goal; but I am afraid if the plan proposed should be put in execution and a large capital raised, that there would not then one in ten escape being sent thither, through the hopes the creditors would have of being paid by means of the proposed laudable institution, and perhaps the more worthy and deserving the debtor, the more likely he would be to be sent to goal, as such would be the soonest relieved by the charitable committee. It is plain the gentleman's scheme is well meant, and if what I have hinted at, could be obviated, none would be more glad to see it put in execution than

Your humble servant.

Lincolnshire, Feb. 28, 1764. B. S.

To the AUTHOR of the LONDON MAGAZINE.

S I R,

I N your London Magazine for Jan. 1764, in the humane and publick spirited proposal, p. 15, it says, "did ever, any one leave a legacy to imprisoned debtors?" Sir, in answer to this question

\* See p. 15.



question, Mrs. Margaret Lawson, widow, and relict of George Lawson, late of East Harlsley, in the county of York Esq; deceased; by her last will and testament dated the 22d July, 1729, gave the sum of one hundred pounds for the discharging poor prisoners for debt out of the county goal at York, whose debts did not exceed twenty pounds; which 100l. was accordingly applied by her two sisters Mrs. Catherine Bower and Mrs. Anne Maxwell, her joint executrixes, and the money went thro' my hands, who was appointed by the said executrixes to manage and settle the testator's affairs.—The payment of the above 100l. and also that thirty-two prisoners for debt were discharged from their confinement by the benefit of this legacy, is now memorandumed, upon the benefactor's table, in the grand jury room, belonging to the said county.

If the author of the humane and public spirited proposal, shall think this instance of charity will contribute towards promoting his good intentions by publishing it in such a manner as he may think proper, he may depend on the veracity of this account.

I am, Sir, Your, &c. H. B.  
York, March 9, 1764.

P. S. There is also memorandumed upon the same table (since the legacy of 100l. was given) that eighteen prisoners for debt were discharged by two gifts of ten guineas each, out of the said goal.—The donors Lord Burlington and Sir George Saville.

*A Letter from Paris, March 6.*

**T**HE affair of the virtuous and unfortunate protestant, John Calas, (See our vol. for 1762, p. 428, 518.) who was broken upon the wheel at Toulouse about two years ago, in consequence of the suicide of one of his sons whom he was falsely accused of having put to death himself, was some months ago brought before the council of state at Versailles, at which were present the ministers of state, the chancellor, &c. The case was reported by Mons. de Croisne, Master of requests, with the impartiality of an upright judge, the accuracy of one perfectly well-informed, and that affecting eloquence that the dreadful circumstances of this unparalleled story so naturally dictates to a humane orator. After a long examination of this horrid affair, it appeared with the clearest evidence, that the son of John

Calas had never formed the most distant notion of turning Roman Catholic—that he had hanged himself in a fit of melancholy—that the aged father and mother knew nothing of the matter until they found him dead, to their inexpressible surprize and sorrow—that they had been remarkable for the excellence of their characters, during the space of forty years and upwards, that they had lived at Toulouse, and had been peculiarly eminent for their parental tenderness—and that besides the dictates of natural affection (which forms such a strong presumption of the innocence of this aged and worthy father) every circumstance concurred to clear him of the horrid crime for which he was put to death in the most painful and ignominious manner by the parliament of Toulouse. In consequence of this the members of the council unanimously agreed in forming a resolution, by which the parliament of Toulouse was ordered to send them an account of the proceedings against John Calas, and the reasons of their severe and bloody sentence. The king gave his royal approbation to this resolution of the council, and all those who were not deaf to the voice of humanity and justice (and who had beheld with just sentiments of horror, in the parliament of Toulouse, falsehood and cruelty, armed and set on by bigotry, to involve a widow and five children in the deepest distress, by the murder of a father and a husband committed under the form of law) hoped to see satisfaction made to the memory of Calas, and thereby some comfort administered to his afflicted family. It was at least imagined, that the parliament of Toulouse would have been called to justify their conduct before the tribunal of their sovereign, and to clear themselves in the eyes of Europe, and of the human race, who are all interested in this unparalleled cause it was hoped that the members of this parliament, who condemned, without proof, to the rack and wheel, a father for murdering his son, and the infamous sheriff David, who insulted, upon the wheel, this aged and innocent father expiring under the rage of monkish bigotry, would have been obliged to acknowledge their temerity and precipitation at least, and to make honourable amends to the afflicted family, by confessing that they were deceived by monks



monks and false-witnesses, and by granting their protection (if it would be accepted) to the children they have rendered fatherless by an unjust judgment. All this was expected, several pamphlets have been published at Paris demanding justice, and yet hitherto justice has been suspended, and the voice of humanity has pleaded in vain for innocent blood. The insinuations of monks and bigots have, it is to be feared, stopped the execution of justice, and been employed to persuade a humane monarch, that it was more expedient to abandon the cause of an innocent Calvinist who had unjustly been broken on the wheel, than expose eight counsellors of Toulouse to the shame of acknowledging, that they had been mistaken. A new instance this of the spirit of a popish government, and its horrid influence, even in a country, whose inhabitants (excepting those of Toulouse) are naturally inclined to humanity and clemency.

I except Toulouse, because the dark, gloomy, and cruel effects of superstition and bigotry reign there in a particular manner, and have given a barbarous and sanguinary cast to the temper of its inhabitants, naturally tinged with Spanish severity. Voltaire tells us in his last production\*, that the inhabitants of Toulouse thanked God publickly for the assassination of Henry IV. and it is well known they have on annual festival, on which they celebrate, in the most pompous manner, by processions, bonfires, and other demonstrations of joy, the anniversary of that glorious day, in which four thousand protestants, their fellow-citizens, were massacred without distinction of age or sex, in their city. The year 1762, in which Calas was executed, was the secular year of that horrid massacre, and as the festival abovementioned was just approaching, when this unfortunate man was cast into prison, Voltaire thinks that this circumstance might have contributed to his condemnation. It was, indeed, agreeable to the spirit of such a holiday, to have a protestant victim to sacrifice to the sanguinary genius of popery. I shall conclude this letter by observing, that as the tears of the widow Calas, and her fatherless children, have made their way to the throne, the humanity and justice of the king are engaged to give both her and Europe satisfaction for this horrid deed (or to use Voltaire's

expression) "for this barbarous murder committed at Toulouse, by the sword of justice." I am, &c.

A Fine edition of the works, in verse and prose, of the late amiable William Shenstone, Esq; in two volumes, octavo, with decorations, being now published, by his friend Mr. Doddsley, our readers will, no doubt, be pleased with some account of that elegant writer, to whom, for many years, they have been indebted for several poetical pieces, which do honour to our volumes: especially as we may, from the present publication give them some further specimens of that gentleman's genius.

"Mr. Shenstone was the eldest son of a plain uneducated country gentleman in Shropshire, who farmed his own estate. The father, sensible of his son's extraordinary capacity, resolved to give him a learned education, and sent him a commoner to Pembroke college in Oxford, designing him for the church; But though he had the most awful notions of the wisdom, power, and goodness of God, he never could be persuaded to enter into orders. In his private opinions he adhered to no particular sect, and hated all religious disputes. But whatever were his own sentiments, he always shewed great tenderness to those who differed from him. Tenderness, indeed, in every sense of the word, was his peculiar characteristic; his friends, his domestics, his poor neighbours, all daily experienced his benevolent turn of mind. Indeed, this virtue in him was often carried to such excess, that it sometimes bordered upon weakness: yet if he was convinced that any of those ranked amongst the number of his friends, had treated him ungenerously, he was not easily reconciled. He used a maxim, however, on such occasions, which is worthy of being observed and imitated; "I never (said he) will be a revengeful enemy; but I cannot, it is not in my nature, to be half a friend." He was in his temper quite unsuspecting; but if suspicion was once awakened in him, it was not laid asleep again without difficulty.

He was no economist; the generosity of his temper prevented him from paying a proper regard to the use of money: He exceeded, therefore, the bounds of his paternal fortune, which before



before he died was considerably encumbered. But when one recollects the perfect paradise he had raised around him, the hospitality with which he lived, his great indulgence to his servants, his charities to the indigent, and all done with an estate not more than three hundred pounds a year, one should rather be led to wonder that he left any thing behind him, than to blame his want of oeconomy. He left however more than sufficient to pay all his debts; and, by his will, appropriated his whole estate for that purpose.

It was perhaps from some considerations on the narrowness of his fortune, that he forbore to marry; for he was no enemy to wedlock, had a high opinion of many among the fair sex, was fond of their society, and no stranger to the tenderest impressions: One, which he received in his youth, was with difficulty surmounted. The lady was the subject of that sweet pastoral, in four parts, which has been so universally admired; and which, one would have thought, must have subdued the loftiest heart and softened the most obdurate.

His person, as to height, was above the middle stature, but largely and rather inelegantly formed: his face seemed plain till you conversed with him, and then it grew very pleasing. In his dress he was negligent, even to a fault; though when young at the university, he was accounted a beau. He wore his own hair, which was quite grey very early, in a particular manner; not from any affectation of singularity, but from a maxim he had laid down, that without too slavish a regard to fashion, every one should dress in a manner most suitable to his own person and figure. In short, his faults were only little blemishes, thrown in by nature, as it were, on purpose to prevent him from rising too much above that level of imperfection allotted to humanity.

His character as a writer will be distinguished, by simplicity with elegance, and genius with correctness. He had a sublimity equal to the highest attempts; yet from the indolence of his temper, he chose rather to amuse himself in culling flowers at the foot of the mount, than to take the

trouble of climbing the more arduous steeps of Parnassus. But whenever he was disposed to rise, his steps, though natural, were noble, and always well supported. In the tenderness of elegiac poetry he hath not been excelled; in the simplicity of pastoral, one may venture to say he had very few equals. Of great sensibility himself, he never failed to engage the hearts of his readers: And amidst the nicest attention to the harmony of his numbers, he always took care to express with propriety the sentiments of an elegant mind. In all his writings, his greatest difficulty was to please himself. I remember a passage in one of his letters where, speaking of his love songs, he says—"Some were written on occasions a good deal imaginary, others not so; and the reason there are so many is, that I wanted to write one good song, and could never please myself." It was this diffidence which occasioned him to throw aside many of his pieces before he had bestowed upon them his last touches.

But the talents of Mr. Shenstone were not confined merely to poetry; his character, as a man of clear judgment, and deep penetration, will best appear from his prose works. It is there we must search for the acuteness of his understanding, and his profound knowledge of the human heart."

*Unconnected Thoughts on Gardening.*

By Mr. Shenstone.

GARDENING may be divided into three species — kitchen-gardening — parterre-gardening — and landscape, or picturesque-gardening: which latter is the subject intended in the following pages. — It consists in pleasing the imagination by scenes of grandeur, beauty, or variety. Convenience merely has no share here; any farther than as it pleases the imagination.

Perhaps the division of the pleasures of imagination, according as they are struck by the great, the various, and the beautiful, may be accurate enough for my present purpose: Why each of them affects us with pleasure may be traced in other authors. See Burke, Hutchinson, Gerard. The theory, of agreeable sensations, &c.\*

\* Garden scenes may perhaps be divided into the sublime, the beautiful, and the melancholy or pensive; to which last I know not but we may assign a middle place between the former two, as being in some sort composed of both. See Burke's sublime, &c.

There



There seems however to be some objects which afford a pleasure not reducible to either of the foregoing heads. A ruin, for instance, may be neither new to us; nor majestick, nor beautiful, yet afford that pleasing melancholy which proceeds from a reflection on decayed magnificence. For this reason an able gardener should avail himself of objects, perhaps, not very striking; if they serve to connect ideas that convey reflections of the pleasing kind.

Objects should indeed be less calculated to strike the immediate eye, than the judgment or well-formed imagination; as in painting.

It is no objection to the pleasure of novelty, that it makes an ugly object more disagreeable. It is enough that it produces a superiority betwixt things in other respects equal. It seems, on some occasions, to go even further. Are there not broken rocks and rugged grounds to which we can hardly attribute either beauty or grandeur, and yet when introduced near an extent of lawn, impart a pleasure equal to more shapely scenes? Thus a series of lawn, though ever so beautiful, may satiate and cloy, unless the eye passes to them from wilder scenes; and then they acquire the grace of novelty.

Variety appears to me to derive good part of it's effect from novelty; as the eye, passing from one form or colour, to a form or colour of a different kind, finds a degree of novelty in it's present object which affords immediate satisfaction.

Variety however, in some distances, may be carried to such excess as to lose it's whole effect. I have observed ceilings so crammed with stucco ornaments; that, although of the most different kinds, they have produced an uniformity. A sufficient quantity of undecorated space is necessary to exhibit such decorations to advantage.

Ground should first be considered with an eye to it's peculiar character. Whether it be the grand, the savage, the sprightly, the melancholy, the horrid, or the beautiful. As one or other of these characters prevail, one may somewhat strengthen it's effect by allowing every part some denomination, and then supporting it's title by suitable appendages—For instance, the lover's walk may have assignation seats, with

proper mottoes—Urns to faithful lovers—Trophies, garlands, &c. by means of art.

What an advantage must some Italian seats derive from the circumstance of being situate on ground mentioned in the classics? And, even in England, wherever a park or garden happens to have been the scene of any event in history, one would surely avail one's self of that circumstance, to make it more interesting to the imagination. Mottoes should allude to it, columns, &c. record it; verses moralize upon it; and curiosity receive it's share of pleasure.

In designing a house and gardens, it is happy when there is an opportunity of maintaining a subordination of parts; the house so luckily placed as to exhibit a view of the whole design. I have sometimes thought that there was room for it to resemble an epic or dramatic poem. It is rather to be wished than required, that the more striking scenes may succeed those which are less so.

Taste depends much upon temper. Some prefer Tibullus to Virgil, and Virgil to Homer—Hagley to Persfield, and Persfield to the Welsh mountains. This occasions the different preferences that are given to situations—A garden strikes us most, where the grand, and the pleasing succeed, not intermingle, with each other.

I believe, however, the sublime has generally a deeper effect than the merely beautiful.

I use the words *landskip* and *prospect* the former as expressive of home scenes: the latter of distant images. Prospects should take in the blue distant hills; but never so remotely, that they be not distinguishable from clouds. Yet this mere extent is what the vulgar value.

*Landskip* should contain variety enough to form a picture upon canvas; and this is no bad test, as I think the *landskip* painter is the gardener's best designer. The eye requires a sort of ballance here; but not so as to encroach upon probable nature. A wood, or hill, may ballance a house or obelisk; for exactness, would be displeasing; we form our notions from what we have seen, and tho' could we comprehend the universe, we might perhaps find it uniformly regular; yet the portions that we see of it, habituate our fancy to the contrary.



The eye should always look rather down upon water: customary nature makes this requisite. I know nothing more sensibly displeasing than Mr. T—'s flat ground betwixt his terras and his water.

It is not easy to account for the fondness of former times for strait-lined avenues to their houses; strait-lined walks through their woods; and in short, every kind of strait-line; where the foot is to travel over, what the eye has done before. This circumstance, is one objection. Another, somewhat of the same kind, is the repetition of the same object, tree after tree, for a length of way together. A third is, that this identity is purchased by the loss of that variety, which the natural country supplies every where; in a greater or less degree. To stand still and survey such avenues, may afford some slender satisfaction, through the change derived from perspective; but to move on continually and find no change of scene in the least attendant on our change of place, must give actual pain to a person of taste. For such an one to be condemned to pass along the famous vista from \* Moscow to Petersburg, or that other from Agra to Lahor in India, must be as disagreeable a sentence, as to be condemned to labour at the galleys. I conceived some idea of the sensation he must feel, from walking, but a few minutes, immured, betwixt Lord D—'s high-shorn yew-hedges; which run exactly parallel, at the distance of about ten feet; and are contrived perfectly to exclude all kind of objects whatsoever.

When a building, or other object has been once viewed from its proper point, the foot should never travel to it by the same path, which the eye has travelled over before. Lose the object, and draw nigh, obliquely.

The side-trees in vistas should be so circumstanced as to afford a probability that they grew by nature.

Ruinated structures appear to derive their power of pleasing, from the irregularity of surface, which is variety; and the latitude they afford the imagination, to conceive an enlargement of their dimensions, or to recollect any events or circumstances appertaining to their pristine grandeur so far as concerns grandeur and solemnity.

April, 1764.

The breaks in them should be as bold and abrupt as possible.—If mere beauty be aimed at (which however is not their chief excellence) the waving line, with more easy transitions, will become of greater importance.—Events relating to them may be simulated by numberless little artifices; but it is ever to be remembered, that high hills and sudden descents are most suitable to castles and fertile vales, near wood and water; most imitative of the usual situation for abbeyes and religious houses; large oaks, in particular, are essential to these latter,

Whose branching arms, and reverend height

Admit a dim religious light.

A cottage is a pleasing object partly on account of the variety it may introduce; on account of the tranquility that seems to reign there, and perhaps (I am somewhat afraid) on account of the pride of human nature.

*Longi alterius spectare laborem.*

In a scene presented to the eye, objects should never lie so much to the right or left, as to give any uneasiness in the examination. Sometimes, however, it may be better to admit valuable objects even with this disadvantage. They should else never be seen beyond a certain angle. The eye must be easy, before it can be pleased.

No mere slope from one side to the other can be agreeable ground: The eye requires a ballance—i. e. a degree of uniformity: But this may be otherwise effected and the rule should be understood with some limitation.

—Each alley has its brother,

And half the plat-form just reflects the other.

Let us examine what may be said in favour of that regularity which Mr. Pope exposes. Might he not seemingly as well object to the disposition of an human face, because it has an eye or cheek, that is the very picture of its companion? Or does not providence who has observed this regularity in the external structure of our bodies and disregarded it within, seem to consider it as a beauty? The arms, the limbs, and the several parts of them correspond, but it is not the same case with the thorax and the abdomen. I believe one is generally solicitous for a kind of ballance in a landskip, and, if I am not mistaken, the painters generally

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\* In Montesquieu on Taste.



rally furnish one: A building, for instance, on one side, contrasted by a group of trees, a large oak, or a rising hill on the other. Whence then does this taste proceed, but from the love we bear to regularity in perfection? After all in regard to gardens, the shape of ground, the disposition of trees, and the figure of water, must be sacred to nature, and no forms must be allowed that make a discovery of art.

All trees have a character analogous to that of men: Oaks are in all respects the perfect image of the manly character: In former times I should have said, and in present times I think I am authorized to say, the British one. As a brave man is not suddenly either elated by prosperity, or depressed by adversity, so the oak displays not its verdure on the sun's first approach; nor drops it, on his first departure. Add to this its majestic appearance, the rough grandeur of its bark, and the wide protection of its branches.

A large, branching aged oak, is perhaps the most venerable of all inanimate objects.

Urns are more solemn, if large and plain; more beautiful if less and ornamented. Solemnity is perhaps their point, and the situation of them should still co-operate with it.

By the way, I wonder that lead statues are not more in vogue in our modern gardens. Tho' they may not express the finer lines of an human body, yet they seem perfectly well calculated, on account of their duration, to embellish landscapes, were they some degrees inferior to what we generally behold. A statue in a room challenges examination, and is to be examined critically as a statue. A statue in a garden is to be considered as one part of a scene or landscape; the minuter touches are no more essential to it, than a good landscape painter would esteem them were he to represent a statue in his picture.

Apparent art, in its proper province, is almost as important as apparent nature. They contrast agreeably; but their provinces ever should be kept distinct.

Where some artificial beauties are so dexterously managed that one cannot but conceive them natural, some natural ones so extremely fortunate

that one is ready to swear they are artificial.

Concerning scenes, the more uncommon they appear, the better, provided they form a picture, and include nothing that pretends to be of nature's production, and is not. The shape of ground, the site of trees, and the fall of water, nature's province. Whatever thwarts her is treason.

On the other hand, buildings, and the works of art, need have no other reference to nature than that they afford the *eusemou* with which the human mind is delighted.

Art should never be allowed to set a foot in the province of nature, otherwise than clandestinely and by night. Whenever she is allowed to appear here, and men begin to compromise the difference—Night, Gothicism, confusion, and absolute chaos are come again.

To see one's urns, obelisks, and water-falls laid open; the nakedness of our beloved mistresses, the naiads, and the dryads exposed by that ruffian winter to universal observation; is a severity scarcely to be supported by the help of blazing hearths, cheerful companions, and a bottle of the most grateful burgundy.

The works of a person that builds, begin immediately to decay; while those of him who plants begin directly to improve. In this, planting promises a more lasting pleasure, than building; which, were it to remain in equal perfection, would at best begin to moulder and want repairs in imagination. Now trees have a circumstance that suits our taste, and that is annual variety. It is inconvenient indeed, if they cause our love of life to take root and flourish with them; whereas the very sameness of our structures will, without the help of dilapidation, serve to wean us from our attachment to them.

It is a custom in some countries to condemn the characters of those (after death) that have neither planted a tree, nor begat a child.

[The remainder in our next.]

*Death of Mithridates, the famous King of Pontus. From Hooke's Roman History. (See our last vol. p. 343)*

"**M**ITHRIDATES carrying on the war with ill success in his own dominions at disceing treasons multiply



tiply around him, formed the desperate resolution of marching into Italy, and there attacking the Romans as Hannibal had done, at their own doors. But this enterprize, containing a march of above two thousand miles, the very thought of it so terrified the army, that to avoid it they conspired against him, and made his son Pharnaces their king. Mithridates had always distinguished this son as his favourite, and intended him for his successor.

The king, informed of what was in agitation, sent some of his guards to seize the prince; but he gained over these soldiers to join him in the conspiracy, into which, by remonstrances and promises, he easily brought likewise the Roman deserters who were encamped without the walls of Panticapæum. The prince found no greater difficulty in gaining the soldiers of the other camps; and at the head of this multitude of rebels he presented himself before the place at day-break.

The city soon followed the example of the camp. Some officers, whom the king had sent to enquire the cause of the shouts he heard, having gone over with their soldiers to Pharnaces, the inhabitants presently opened the gates to the prince: So that the king was reduced to shut himself up in the citadel. From thence he sent to ask the mutineers what their demands were: They answered with extreme insolence, "We demand that Pharnaces should be our king. We want a young king, not an old one, governed by eunuchs, and who makes known his power only by cruelties to his generals, his friends, and even his children."

Mithridates came out, in order to speak in person to them; but the soldiers who attended him, thinking it would be best for themselves to follow the stream, offered their services to the rebels. The Roman deserters, proud of their number and strength, and ever at the head of the rebel crew, made answer to this offer of the soldiers, "That it would not be accepted, unless they first gave some signal proof of their zeal." And at the same time they pointed to Mithridates. In so great extremity, the king had no choice but to return into the fort, which he did not effect without great difficulty, having had his horse killed under him. At

the same instant the whole multitude of the revolted proclaimed Pharnaces king; and, for want of a diadem, they bound about his head a broad fillet of Egyptian paper, which somebody had taken out of a neighbouring temple.

Mithridates, who from a tower saw all that passed, sent many times to ask his life of his son, with permission to retire. But as none of his messengers returned, and he found he must die, he made this prayer: O ye Gods, the avengers of fathers, if it be true that you exist, and if there be justice in heaven, grant that Pharnaces may, one day, hear his sentence of death pronounced by his children." He then called some of his officers and guards, who had continued faithful to him, and having praised their generosity, ordered them to repair to the new king; after which he retired into his apartment, distributed poison to his wives, concubines, and daughters, and took a dose of it himself: this not operating upon him, he had recourse to his sword: but failing to give himself such a wound as was sufficient to do the business, he called to him a Gallic officer (who at the head of some of the rebels, had forced the walls of the castle) "Brave soldier, you did me great services at the time you fought under me. You will do me a greater now than ever, if you will save me from the shame of falling alive into the hands of the Romans, and being led by them in triumph." The Gaul complied with his desire.

Such was the end of Mithridates; whom Cicero styles the greatest of kings after Alexander. He was, says Velleius, a very great prince, sometimes by his fortune, always by his magnanimity; a general in council and design, a soldier in execution, and, for hatred to Rome, another Hannibal. It is agreed, that he was a very extraordinary person, both for the greatness of his spirit and the endowments of his mind: and that he was learned in all the learning of those times; and it is affirmed, that of twenty-two nations under his command, he could speak to every one in their own proper language\*. But that he was inhuman, unnatural in his displeasure, a monster of cruelty (not to mention the massacre in cold blood of eighty thousand Italians settled in Asia)

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\* See our vol. for 1755, p. 478.



is manifest from his murdering his mother and his brother, and from the great number of his sons, and of his friends and followers, whom, at several times and often on very slight occasions, he had put to death. He lived seventy two years, sixty of which he reigned."

To the P R I N T E R, &c.

S I R,

**Y**OU must know I have been for some years a retainer to a certain sect of philosophers, who have long flourished in this kingdom, though they are not yet distinguished by any particular title or appellation. Our order consists of a number of both sexes, who unanimously agree in this fundamental maxim, That the several accomplishments of beauty, strength, riches, learning, &c. are beneath the notice of the wise, and ought to be treated with the utmost contempt and indifference. The fraternity rank themselves under distinct classes, according as they are distinguished for their aversion to such particular perfections, as they possess in an eminent degree. In the first class we have many illustrious heroines, who take great pains to shew their contempt of beauty, by disguising it as much as possible. One of the most eminent of these female professors is Cosmelia, who, to shew her just disregard to a fine complexion, has done all in her power to ruin it with paint. Another, who had naturally a most enchanting voice, has, by much application, acquired a lisp, which makes her discourse almost unintelligible. And a third sett, from a philosophical neglect of that delicacy of shape, which is *fine by degrees, and beautifully less*, have, with infinite ingenuity, contrived a dress whereby they have reduced themselves into the exact form of a cylinder. 'Tis not uncommon to see among the members of our society, the finest heads of hair in the world, either entirely concealed, or so metamorphosed by an operation called Frenching, that they resemble the wool of an Hottentot, much more than the tresses of Venus. Among the men you have the opticians, who publish to the world their disregard to good eyes, by using glasses or spectacles in all companies, by which they hope, in day-time, to bring their sight to a laudable degree of imperfection.

As to the acquisitions of riches, or learning, you shall see an East-India merchant, who has amassed a couple of millions, affect the reputation of poverty, and complain of the hardness of the times; and a profound critic write a letter, in which there is scarce a word spelt right. As to what some ill-natured writers would insinuate, that vanity is at the bottom of all this, and that it is the badness of our taste makes us prefer imperfection to excellence; I assure you, Mr. Woodfall, the suggestion is entirely groundless. Since it is evident, if applause was our object, we should much better secure it by appearing in (*puris naturalibus*) our natural characters. After all, I must confess, we experience some inconveniences. For my own part, though naturally of an athletic make, I have so long despised the use of my legs, that I cannot visit my next neighbour without the assistance of a chair. And am so emaciated, that I am half resolved, in spite of my philosophy, to enjoy my faculties for the future, and to walk with the vulgar. I am, Sir,  
[Pub. Adv.] Your humble servant.

East-India House, the 4th of April, 1764.

**B**Y the company's ship Royal George, which arrived at Spithead from Bengal on the 1st inst. the court of directors have received letters from that presidency, to the following purport: That the disputes between the company's servants there, and the reigning nabob, Cossim Aly Cawn, had been productive of such animosities and jealousies on the part of the latter, that it was judged highly necessary to use every means to allay them: for this purpose Mess. Amyatt and Hay, two gentlemen of the council, were deputed to wait upon the nabob, with instructions to endeavour to adjust the differences in an amicable manner. They accordingly arrived at Mongheer, the place of his residence, on the 12th of May, and had many conferences with him in which he evidently shewed a great averseness to an accommodation upon the terms offered to him. About this time, a supply of 500 stands of arms, going to Patna, was stopped by the nabob's officers, and other acts of hostility were committed; and affairs being come to an extremity, a



war with Cossim Aly was unavoidable. Mess. Amyatt and Hay were recalled, and measures were taken at the presidency, to carry it on in the most effectual manner. Mr. Amyatt having taken leave of the nabob the 24th of June, and received the usual passports, he set out in boats for Calcutta, accompanied with Mess. Amphlett, Wolleston, and Hutchinson; Lieutenants Jones, Gordon, and Cooper; and doctor Crooke (Mess. Hay and Gulston remaining with the nabob as hostages). As the boats were passing the city of Moorshedabad, they were attacked, on 3d of July, by a number of troops, assembled for that purpose, on both sides the river, and some of the gentlemen were killed in the boats. Mr. Amyatt immediately landed with a few Seapoys, which he forbid to fire, and endeavoured to make the enemy's troops understand that he was furnished with the nabob's passports, and had no design of committing any hostilities; but the enemy's horse advancing, some of the Seapoys fired, notwithstanding Mr. Amyatt's orders; and a general confusion ensuing, that gentleman, and most of the small party who were with him, were cut to pieces.

By the said letters it further appears, that Mr. Ellis and his council at Patna having, with the approbation of Capt. Carstairs, agreed to attack that city early in the morning of the 25th of June, it was accordingly executed and carried; that they were in entire possession of the city for four hours, the Moorish governor and most of his people having fled as far as Futwa; that he there came to a resolution to return and attempt to regain the city, and having got in at the water-side gate of the fort, he succeeded in dispossessing our troops, owing to the Seapoys and Europeans being mostly dispersed in plundering. That upon their retiring into the factory, on account of the dispiritedness of the men, and a great desertion among the Seapoys, it was found impracticable to make any stand there; and a resolution was therefore taken to proceed to Sujah Dowla's country; that they accordingly crossed the river the 26th in the evening, and met with no obstruction until they passed Churpa; that then they were attacked, on the

30th, by the Phousdar, with about 2000 men, whom they easily routed; but he being that evening joined from Budgapore with four or five hundred Seapoys, and five or six field pieces, he attacked the party on the next evening, the 1st of July, and entirely routed them, the Europeans having quitted their ranks at the first onset; that in the whole there were about fifty Europeans killed, and about eight or nine officers, amongst the last Captain Carstairs, who was killed by a cannon ball in the morning of the 1st; that on the 2d Mr. Ellis, with the officers and private men, were taken prisoners, and, by the last advices, were all at Mongheer, excepting captain Wilson, Ensigns Mackay and Armstrong, Mr. Anderson, surgeon, and Mr. Peter Campbell, who then remained prisoners at Patna.

Upon these and other acts of hostility against several of the company's settlements committed by Cossim Aly, it was determined to declare war against him, and to restore the former nabob Meer Jaffier to the Subahship, upon his entering into a new treaty with the company. War was accordingly declared, and an advantageous treaty was concluded, the most material articles whereof are a confirmation of his former treaty, and also of the provinces of Burdwan, Nidnapoor and Chittagong, granted by the late nabob Cossim Aly, engaging to give thirty lacks of rupees to defray the expenses and loss accruing to the company from the war, and engaging also to reimburse the amount of private persons losses.

Meer Jaffier set out a few days after to join the army under Major Adams, which was then on its march towards Moorshedabad. The first action which happened, was on the 19th of July, opposite to Cutwa, on the Cossimbuzar side of the river. The major having crossed the army the night before, in the morning came up with a large body of the enemy's troops who were strongly posted to oppose his progress to the city; and having attacked them, they were routed, after a small resistance, and with an inconsiderable loss on our side. A detached party, under the command of Capt. Long, at the same time possessed themselves of the fort



fort of Cutwa, on the other side of the river; and all the artillery they had there, as well as what they had brought into the field, fell into our hands. In this action Mahomed Tuckey-Cawn, who, it is said, commanded the attack on Mr. Amyatt's party, was mortally wounded, and died a few days after.

The good effects of this success were displayed in the easy conquest that followed of the city of Moorshe-dabad, which the army entered with a trifling opposition, the 24th at night. Here the major established and proclaimed the Nabob Meer Jaffier in due form and halted some days to refresh the army.

On the 18th of July, the major continued his march towards Mongheer; and on the 2d of August, having arrived near a place called Sooty, at the head of the Cossimbuzar river, a very obstinate engagement ensued with a numerous army of the enemy's best troops and artillery, who there occupied a very strong and advantageous post. The stand that they made was resolute and uncommon for troops of this country, having closely engaged our forces for no less than four hours: However, by the intrepidity and good conduct of Major Adams, and the remarkable bravery of the officers and men, the enemy sustained a total defeat. The loss on our side was not so considerable as might have been expected from so severe an action, consisting only of six officers and forty Europeans, and 192 Seapoys and Black Horse killed and wounded. On the side of the enemy, a great number of men were killed and wounded, twenty-three pieces of cannon, and about one hundred and fifty boats, laden with military and other stores, taken: Amongst these last were found all the artillery and most of the Patna detachment; and within some days after the action, between sixty and seventy of the men who were taken prisoners at Patna, and had been engaged by foul means and fair to serve the enemy's guns, returned to their colours.

Immediately after this battle the major advanced with the army near to Rajamant; about three or four miles from which place the enemy had thrown up a strong entrenchment from the hills to the river, and for the

forcing of which, it was judged most proper, for ensuring the safety of the troops, to carry on regular approaches. Every thing having been accordingly prepared, the works were begun upon the 29th of August, and continued till the 5th of September, when the major resolved upon an assault, which was executed with very little loss, and their whole works were in our possession that morning. This success, we have great reason to believe, will be decisive of the fate of the war, as the enemy seemed to repose their chief confidence in the strength of these works, and now, by the loss of them, are deprived of all supplies of provisions from the province of Bengal, which is entirely secured to us.

Major Adams, in his letters, where he gives an account of his several engagements with the enemy, has given just praises to Major Carnac, Major Knox, and other officers who have distinguished themselves, as well as to the officers and troops in general, for their gallant behaviour. To Major Carnac, he ascribes particular merit, for the vigorous attack which he had led against the main body of the enemy, in the general action of the 2d of August, and which made the first impression, contributing thereby in great measure to the victory we obtained. The same justice is due to Major Adams, which he has done to the officers and troops under his command, and the highest praise is due to him from the company for his good conduct in this campaign, which has been attended with extraordinary difficulties and fatigues, on account of the rainy season and the badness of the roads; and in which, by his ability in forming the plans of attack in such manner to take every advantage the situation of the enemy admitted; he has insured the success of his operations with the smallest loss of men possible; and to which most valuable qualification, he adds a coolness and intrepidity unshaken in the midst of the action.

Governor Vansittart, after the close of the foregoing advices, writes, that as the friends of the gentlemen prisoners with the late nabob, Cossim Aly, would be anxious to have a certain account of them, he transmitted the copy of a letter to Major Adams, from Messrs. Ellis and Hay, dated at Patna the



the 4th of October last, mentioning that the number of prisoners was forty-nine, who were taking measures for the purchase of their deliverance on the major's nearer approach towards Patna; that officer was also endeavouring to effect so desirable an event. The governor adds, as Messrs. Ellis and Hay take notice of the death of Captain Turner only, it was presumed that all the rest were well. Governor Vansittart afterwards advises the reduction of Mongheer, on the 11th of October, by the major, without the loss of one man before the town.

Governor Vansittart further acquaints the court of directors, in a letter dated the 8th of October, 1762, that if the war should not be brought to a successful end, he will stay in Bengal till the following year, at all risks; although it is the opinion of the physicians he is very incapable of going through another hot season; but if the troubles should be so far quieted, that he can leave the company's possessions in safety, he hopes to be in London about September next.

The court of directors having a due sense of the gallant behaviour and great services of Major Carnac, as noticed in the before mentioned advices, have unanimously agreed to restore him to the command of the company's forces in Bengal.

ROBERT JAMES, Secretary \*.

EPITAPHIUM  
GUILIELMI KING

*A seipso scriptum  
Pridie nonas Junii  
Die natali Georgii III.  
MDCCLXII.*

Fui

GUILIELMUS KING, L. L. D.  
Abanno MDCCXIX. ad annum MDCC.

Hujus Aulae Praefectus.

Literis humanioribus a puero deditus  
Eas usq; ad supremum vitae diem colui.  
Neque vitiis carui, neq; virtutibus;  
Imprudens et improvidus, comis et bene-

volus;

Saepe aequo iracundior,  
Haud unquam ut essem implacabilis.

A luxuria pariter ac avaritia

(Quam non tam vitium

Quam mentis insanitatem esse duxi)

Prorsus abhorrens.

Cives, hospites, peregrinos

Omnino liberaliter accepi.

Ipse et cibi parvus, et vini parcissimus.  
Cum magnis vixi, cum plebeis, cum omnibus,

Ut homines noscerem, ut me ipsum imprimis:

Neque, cheu, novi!

Permultos habui amicos,

At veros, stabiles, gratos,

(Quae fortasse est gentis culpa)

Perpaucissimos.

Plures habui inimicos,

Sed invidos, sed improbos, sed inhumanos.

Quorum nullis tamen injuriis

Perinde commotus fui

Quam deliquis meis.

Summam, quam adeptus sum, senectutem

Neque optavi, neque accusavi.

Vitae incommoda neque immoderate ferens,

Neque commodis nimium contentus.

Mortem neque contempsit

Neque metui.

Deus optime,

Qui hunc orbem et humanos res curas,  
Miserere animae meae!

TRANSLATION.

EPITAPH

Of WILLIAM KING:

Written by himself

June the fourth,

Birth-Day of GEORGE III.

MDCCLXII.

I was,

WILLIAM KING, L. L. D.

From the year MDCCXIX to the year

MDCC—

Principal of this hall.

Given to polite letters from a boy:

I cultivated them even to the last day of my life.

I wanted neither vices, nor virtues;

Imprudent and improvident, gentle and benevolent:

Often too prone to anger,

Never un placable.

To luxury as well as Avarice

(Which last I considered not as a vice

But as madness)

Totally averse.

Citizens, guests, and foreigners,

I received with the most open hospitality:

Myself temperate in eating,

In drinking most temperate.

I lived with the high, with the low, with all,

That



That I might know mankind, and chiefly myself:

Both which, alas, I knew not!

I had very many friends,

But true, firm, grateful,

(Which perhaps is the national failing) very, very few.

I had many enemies,

But envious, but wicked, but inhuman;

With whose injuries, however,

I was never so deeply affected

As with my own transgressions.

The extreme old age, to which I attained,

I neither wished for, nor accused:

Neither bearing the evils of life too impatiently,

Nor too much delighted with its blessings.

Death I neither despised,

Nor feared.

Most highest,

Who takest care of this world and the affairs of men,

Have mercy upon my soul!

*Extracts from Mr. Bourn's Treatise upon Wheel-Carriages, lately published.*

**T**HIS Treatise is inscribed to the society for encouraging arts, &c. Mr. Bourn, after setting forth the disadvantages of narrow wheels, in respect to their damaging a road more than broad ones, proceeds to examine the structure of nine inch wheels, which he approves of next to those of his own invention. His account of his improvement of the waggon is as follows:

"Now that we may obtain these two material, these only important, purposes, (to wit) making the carriage move forward with a steady, even easy pace, as upon a true plane; and at the same time instead of hurting, benefiting the roads, by levelling and consolidating them, I would recommend having the wheels made in the following manner:

Let there be run out of cast iron, at the foundries, hollow rims or cylinders, about two feet high, sixteen inches broad or wide, and from one to near two inches in thickness, according to the design or necessity of the proprietor, and the burden he intends them to bear. Let the space, or cavity

within these cylinders be filled up solid with a block of wood, through the center of which insert your arbor or gudgeon, and leave it two inches and six eighths at each end longer than the cylinder; which parts must be round, and about two inches thick, being the pivots, and when the whole is well wedged, the wheel is complete.

In order to fix these to the carriage, at each end of the wheels or rollers must be an upright piece or plank, two inches and an half thick, one foot wide, and about two feet two inches high or long; the lower end of these planks stand upon the pivots; through the upper end passes the cross-beams to which they are fastened by iron screw-pins\*. The lower beam may be about 7 inches broad, 4 inches thick, and 6 foot 11 inches long; upon this stands the tail pole and wings or laces, over these the upper cross-beam, which must be three inches deep, the same thickness and length as the lower one; these are pinned together by iron screws, as in common waggons. This is a description of the hinder part of the carriage; the same ratio must be observed in the fore part; but a more circumstantial account will be needless, and in order to assist the reader's imagination, I refer him to the plate annexed to this piece.

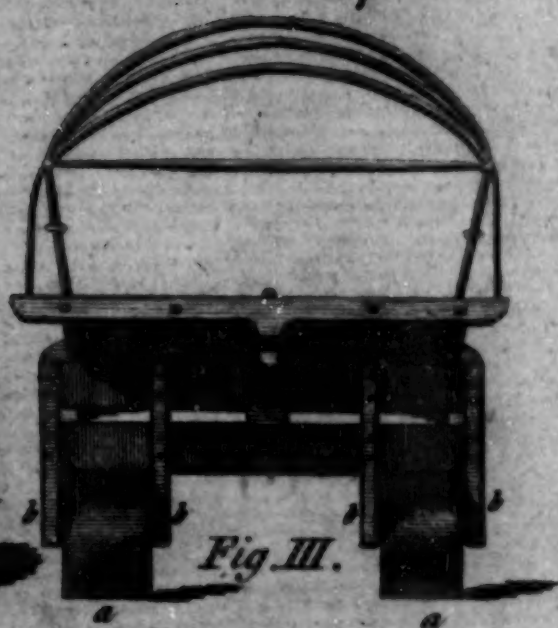
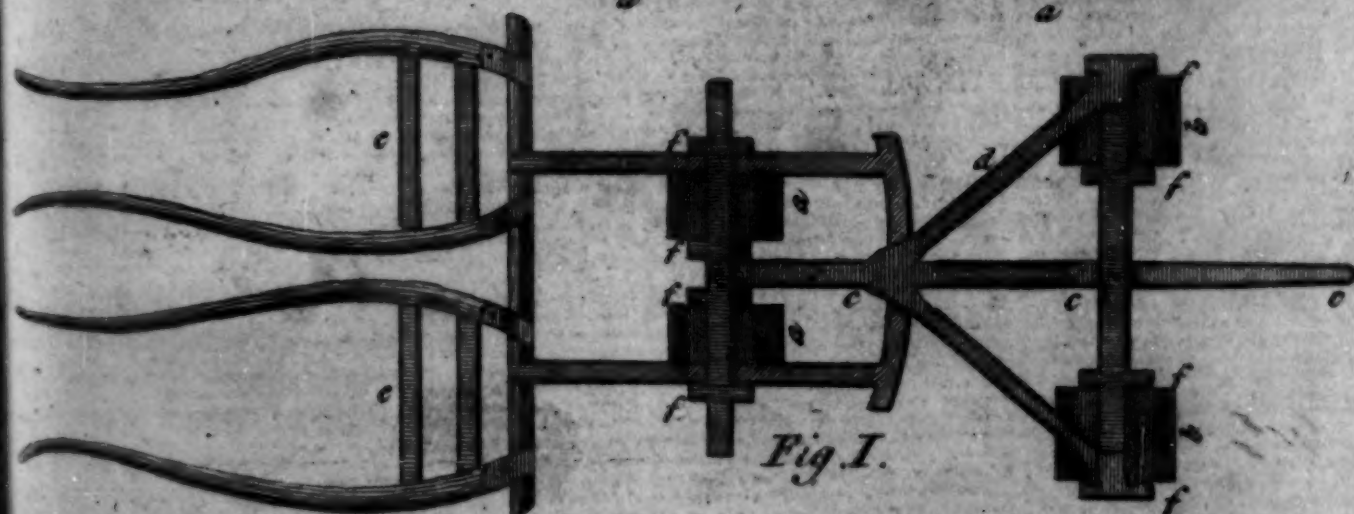
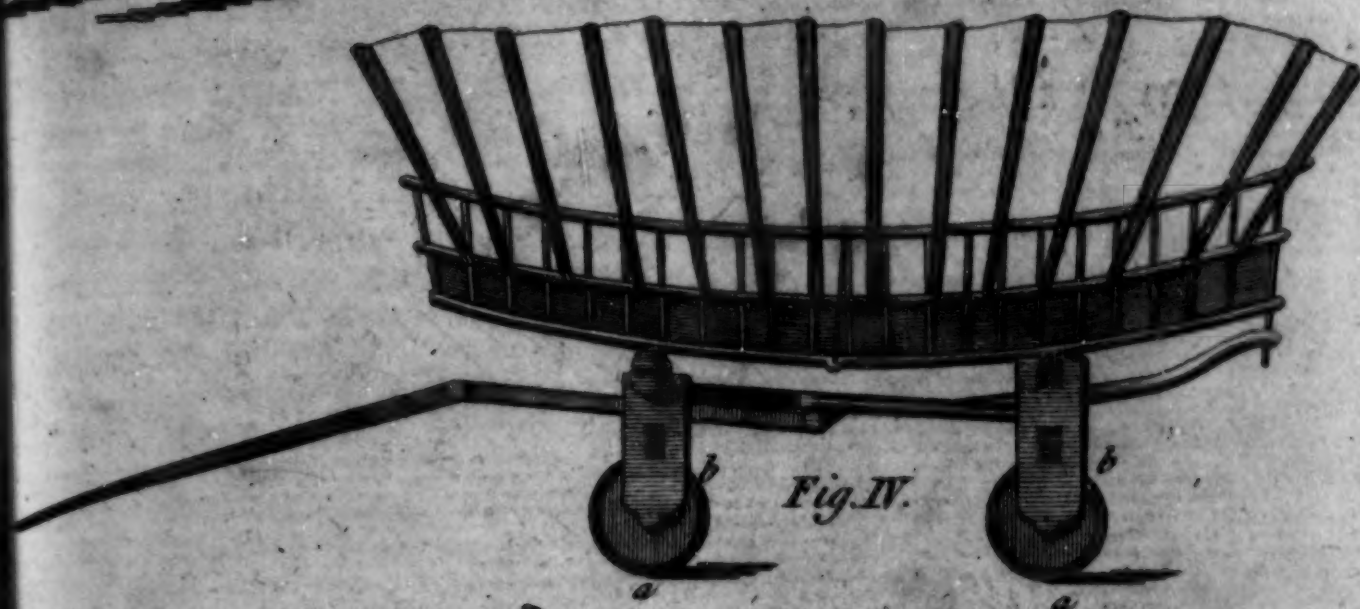
Here then is a solid wheel, which answers all the intentions of the garden roller; now can any thing be conceived, that would have so happy a tendency upon the roads? to render them smooth and even, to harden and encrust the surface, and to make it resemble a terras walk? I say, can any thing be equal to these kinds of cast metal rollers, to produce the foregoing effects; nor will these wheels be subject to any casualties, without spokes, without fellies, without strakes or nails, or nave or bouks; an ever-during wheel made of steel (for cast metal is a kind of steel) as hard and durable, that cannot be hurt by violence, or be affected by weather, neither sun or wind, can crack or warp it, nor will it stand in need of a wain-house to preserve it.

Now although these wheels occupy so wide a space upon the ground, yet I

\* The beams, or cross-beams (as I term them) on which the carriage stands, and which answers to, and is constituted in, the place of the present axletree.



# A New Invented Waggon.









would by no means advise, that in carriages of more wheels than two, the fore wheels should go in the same track with the hinder ones: But let them be so placed, that their outides extend no wider than the inside of the hinder wheels \*. Presuming therefore that the distance of the hinder wheels from outside to outside are six feet six inches, there will not be above twelve or fourteen inches space, but what will be passed over by a fore or hinder wheel, as followeth:

	Feet.	In.
Breadth of the two hinder wheels	2	8
Ditto of the two fore wheels	2	8
Space between the two fore wheels	1	2

The distance of the hinder wheels from outside to outside } 6 6

Thus do these wheels press upon almost all that space that is contained under the whole breadth of the carriage; and in regard, under their influence, there can be no track sunk below the level of the road, which will appear like a smooth hard floor, or sheet of gravel from side to side; so with confidence we may affirm they will move forward with more swiftness and ease than any other sort: For certainly the narrow wheel that plows and tears up the materials, and breaks through the crust or face of the road, wearing deep channels therein; nor even the nine inch wheel, with its bevil uneven periphery, bestuck with a multitude of rough headed nails, are to be compared to the smooth face of the cylinders here mentioned and proposed, that act as garden-rollers to compress and glaze the carpet on which they move, rendering more solid and durable the undisturbed, unoffended materials of the surface. And if, notwithstanding the uncouthness of its present form, the nine inch wheels are so much preferable to the narrow; how much more useful and excellent

will the wheels be, here described." Mr. Bourn's account of the first use of broad wheels, is remarkable, "The first sett of broad wheels made use of in roads in this kingdom, were erected by Mr. James Morris, of Brock-Forge, near Wiggan in Lancashire; who having a deep bad road to pass with his team, advised with me upon the subject; I mentioned the making of the fellies of his wheels of an uncommon width: He accordingly made his first set thirteen inches, and the next year another of nine inches in the sole; and his travelling with these to Liverpool, Warrington, and other places, was taken notice of by some persons of distinction, particularly Lord Strange, and Mr. Hardman, member for Liverpool, &c. who after making strict enquiries of Mr. Morris, concerning their nature and properties, reported their utility to the house, which occasioned an act of parliament being made in their favour."

His remarks on the highways are curious and useful; but we have enlarged rather too much on this article to give what he says on that subject: However as his new invented waggon is very curious, and as a waggon made according to his directions, has been sent up to town and publickly seen here, we have caused his models to be engraved, not doubting but they will be agreeable to our curious readers, before whom we with pleasure lay any matter of publick utility. (See the Chronologer.)

Explanation of the Plate.

- Fig. I. A plan of the fore and hinder carriage of a waggon.  
*aa* The two fore wheels.  
*bb* The hinder ones.  
*ccc* The tail-pole.  
*dd* The laces.  
*ee* The shafts.  
*ffffff* The upright planks.  
*gg* The beams.  
 Fig. II. III. IV. Three elevations,

\* I am not insensible that the late act of parliament limits the distance of wheels, from the outside of the one to the outside of the other, to six feet three inches; I wish a greater liberty had been allowed; I have ventured to add three inches more, they will thereby stand firmer on their base, and I have often wondered, that in chaises, coaches, and especially phaetons, which are high built and subject to overturn, the wheels are not set out at a greater distance from each other, which would be their most effectual security from falling: No arguments can be given to the contrary, but what arise from the narrowness of yards and coach-houses, which are adapted to carriages built in the days of yore.



containing a fore, hinder, and side view of a waggon.

*aa* The wheels.

*bb* The planks,

*cc* The cross beams.

Fig. V. A wheel upon a larger scale, in perspective.

*a* The cast-metal rim.

*b* The block of wood that fills the cavity.

*c* The pivot.

The figure at the top is a view of the waggon, complete.

[See *Broadwheels, Roads, &c.* in our GEN. INDEX, and also the History of Parliament beforegoing.]

To the AUTHOR of the LONDON MAGAZINE.

*Of the Prostitution of Holy Orders, by the Ordination of unworthy Persons, in the Church of England.*

S I R,

GOING over what Academicus and Rusticus have advanced from time to time, in your Magazine\* (relating to "the prostitution of holy orders, to supply a maintenance to broken tradesmen, who are good for nothing, and could not otherwise be so easily provided for") has raised a difficulty, in relation to this affair, which I will beg leave to propose for solution, through the conveyance of your useful collection: And it is this:

May it not, in the above view of things, be very justly and pertinently asked: What sort of ministry must that be, that is capable of being discharged by such unworthy men as those above described; and, as it is but too evident, are every day admitted into holy orders, as a succession in the ministry of the church of England? Does not this look as if the ministry of the communion in question was greatly sunk and degraded; that a sorry creature (without parts, learning, acquaintance with the holy scripture, or knowledge in the body of divinity; and above all, without any favour or relish of religion) was, nevertheless, abundantly qualified to make a clergyman in the church of England; if he can but by any interest or artifice, get into holy orders?

Would not one be rather inclined to think, on the other hand, that the great dignity, and solemn duties, of

this important and holy profession, in such an orthodox, and pure communion, as that in question, should be such, that it should be impossible for worthless men to be capable of acting up to, or discharging them? And that, therefore, *that single consideration alone* should be a sufficient guard to the sacred profession, and abundantly enough to keep out unworthy intruders, from so distinguished a communion, and so holy a fraternity?—How, therefore, the underwritten would be glad to know, is this difficulty, as it appears to him, to be accounted for?

The above state of things was not, certainly, always the case, was it, think you, sir, in our episcopal communion?—This, certainly, is not the case at this day, in our neighbour, and sister presbyterian church of Scotland?—This certainly is not the case, at present in any of the reformed churches abroad, whether Lutheran or Calvinist? As a broken tradesman from behind a counter, or any other unworthy person, of the same level, from a college (without genius, learning, divine knowledge, or religion) would find it next to impossible, it is presumed, to be admitted a minister of any of the above christian communions; so utterly incapable at the same time, to discharge the duties of the holy station, supposing he could (by any favourable concurrence of circumstances, on his own part, or by any criminal remissness, on the part of the ordainers) get to be admitted—does not this, then, sir, seem to suggest, as if all was not so entirely right among us, with regard to our manner of preparing for, and admitting into holy orders? Or rather, indeed, might not this tempt one to suspect, that something was, after all, not a little amiss, even in our first principles, and in the very foundation and constitution of things?

The solution of this difficulty, in such manner as to vindicate the church of England, from all disgraceful imputations, by either of the gentlemen above referred to, or by any other of your ingenious correspondents; as it will be doing good service to the established church; so (if you can allow him in any thing like so evident an anticlimax) will it be esteemed, at the

\* See *Lond. Mag.* For July, September and October, 1759; as also, for May, 1761.



same time, a very sensible favour,  
conferred on, Sir,

Your, and their, very obedient,  
humble servant,  
*Presbyt. Eccles. Angl.*

P. S. It is readily allowed, that unworthy men have intruded themselves (not only, as members, but as ministers, too) into the christian church, in all ages and nations of it—one of Christ's twelve apostles, we are assured, was no other, than a devil\*. And "ungodly men, before of old ordained to this condemnation." (As St. Jude's awful account is) got in among the apostolical ministers themselves—All this is readily allowed: and, therefore, it will be to little purpose to alledge it, in this argument—The questions, in the present case, are these: First, and previously, how so many insufficient men can possibly get into the communion in view, under the character of ministers?—And, again, secondly, how these same men (after they have been, some how or other, wriggled into ministerial office) can possibly be found, all at once, so abundantly sufficient to the discharge of these several solemn duties, and holy functions, public and private, of this most excellent church; the pure, the primitive, the apostolical church of England: The purest church upon earth, and the best constituted church in the world.—Whose constitution, government, discipline, worship, and ministry, are held in such high superiority, and incomparable pre-eminence above all other churches upon the face of the whole earth: all of whom are considered as nothing, in comparison of her, and as scarcely deserving the name of churches—if you except ONE only, from this diminutive estimate—The above, let it be remembered, are the difficulties, attending this important business; and it is accordingly, to these, that the solution is expected to be applied, by such of your learned correspondents, as may be benevolent enough to enter into this most interesting and very affecting affair.

To the AUTHOR of the LONDON  
MAGAZINE.

S I R,

As the hemorrhoids, or piles, are  
a common and painful disorder,

the presenting the publick with a few choice, and experienced recipes to ease their pain, and cure them, I imagine will not be unacceptable to the poor patients for whom I write, or to those people who live too remote for speedy assistance. I am,

Leigh, in Essex, Your, &c.

April 4, 1764. JOHN COOK, M.D.

If the piles appear outwardly, lance them, or, at least prick them slightly to set them ouzing; or apply a leech or two to the part, to give vent to the obstructed fluid, to relax the over tense vessels; but if the patient will not yield to either of these operations, any of the following applications will give relief alone, but much better after the performance of the other: Having been all found by experience (the best teacher) very serviceable to assuage the excessive pain generally attending such cases.

1. If they proceed from a sudden cold, as soon as you perceive them coming, dip fine soft rags, doubled, in warm brandy, or rum, mixt with as much milk, and apply to the place, wetting them afresh as they grow dry.

2. If swelled out, apply flat figs roasted in embers, split open, and renew them as occasion requires.

3. Or burnt cork, finely powdered, mixed up well with the white of an egg, and a little of the oil of sweet almonds, spread upon a cloth.

4. Or a pultice of boiled brooklime applied the same way.

5. Or make a decoction of the roots and herb of figwort, or pilewort, in wine; or a pultice of both, well beaten in a mortar till soft, and then applied.

6. Take of the common pultice of bread and milk, half a pound; of saffron and camphor of each half a dram, opium one scruple, a little sweet oil; beat all well together, and apply warm. I have known it give great relief.

7. Or take the pulp of roasted or baked onions five parts, rue three parts, the pulp of figs, and mithridate two parts, salt one part; beat all well together for a pultice, which being applied to the piles eases their pain wonderfully.

A fumigation of flower of brimstone made by setting it a smoaking in a close-stool-pan, and sitting over it, will

C c 2

\* St. John's Gospel, vi. 70.

† Epist. 4.



will sometimes answer the same end, or may be applied before the former dressings.

Let the patient likewise take inwardly a dram of flower of brimstone, every morning in a little warm milk; if it gripes too much, two drams of lac sulphuris may be used in its stead. Sulphur being found a specific for this distemper.

I propose, God willing, in my next, to offer some safe recipes, after the like manner, for the gout.

To the AUTHOR of the LONDON MAGAZINE.

S I R,  
SEEING in your Magazine for last month the complaint of a Protestant Dissenter, that the clergy of the church of England would not admit them as sponsors or godfathers, for children to be baptized, notwithstanding (as he pretends) that such refusal is contrary to the 68th canon of our church. I must beg the freedom to tell him, that "either he is guilty of very great dissingenuity, or is very ignorant." The 68th canon indeed says, "That no minister shall refuse to christen any child that is brought to the church to him on sundays or holidays, according to the form of the book of common-prayer." But what then? Another (the 29th) canon says, "No person shall be admitted godfather or godmother to any child at christening, or confirmation, before the said person, so undertaking, hath received the holy communion;" and the 27th canon says expressly that "no minister is to admit any schismatic to the communion under pain of suspension."

The Protestant Dissenter therefore was either most egregiously mistaken, or (what is more likely) most unfairly and uncandidly reversed the case when he says, that a minister of the church subjects himself to suspension by refusing to admit dissenters as sponsors for children at baptism, for it is evident, that if he did otherwise he would be liable to be suspended. By his way of arguing (taking things by halves) there is no tenet so absurd, no doctrine so impious but may be proved from holy scripture, nay he may make the royal Psalmist prove that *there is no God*. Ps. xiv. 19.

As this way of argumentation is consentaneous to their whole plan, and the common prerogative of all our numerous sects of dissenters in general I would advise every one who would not chuse to be imposed upon, to examine the scope and tendency of their propositions before he yields his belief, and am, Sir,

Your and the publick's  
Mortlake, humble servant,  
April 9, 1764. A. H.

To the AUTHOR of the LONDON MAGAZINE.

S I R,

THAT most diseases attending the human species arise from repletion, is a position generally allowed. A redundancy of good chyle happens to young people of good constitutions, which occasioning pain in the head, is relieved by bleeding at the nose, artificial bleeding or abstinence.

The same cause in stronger habits, occasions eruptions, which being inflammatory only, are removed by the same means. Eruptions, with a gross humour, require purgatives. A redundancy of crude chyle, from general food in young people, which occasions not only pain in the head, but in the stomach and back, also indicates warm aperitives, a spare regimen, and more exercise.

The same cause in people past maturity, occasioning wandering pains, rheumatisms, &c. is removed by warm purgatives and a warmer regimen.

A redundancy of crude animal chyle, from animals of full growth, heated to a certain degree by strong liquors, or an uncommon natural heat, occasions the gout.

To produce which, there must be a constitution by nature strong, a continued bodily heat, and a freedom from other diseases.

Hence arises the gout, I speak from my own bodily experience, the particulars whereof are as plainly demonstrative, as the cause of any other bodily complaint what-soever.

Moreover every symptom and every circumstance attending the gout, are to me so many confirmations of this truth.

The happy consequence of this discovery has been, that by a small alteration in my regimen, with yet a sufficient allowance of animal food, and



without a medicinal assistance, I have been free from the gout now three years, and in a better state of health this last year, than for thirty years past.

W. W.

[The publick will be obliged to this correspondent, if he will give them an account of his constitution, habit of body, and his improved regimen.]

To the AUTHOR of the LONDON MAGAZINE.

S I R,

THE learned bp. Stillingfleet, in his *Origines Sacrae*. speaking of the ancient hieroglyphical learning, mentions, as an instance of its trifling emptiness, that famous hieroglyphic of Diospolis, so much celebrated by the ancients, consisting of a child, an old man, a hawk, an hippopotamus and a crocodile, all which, says he, are only to express this venerable apophthegm, O ye that come into the world and that go out of it, God hates impudence.

Though it may seem to some a piece of presumption that I should dare to find fault with so great a man, as that prelate certainly was, and to differ from the *ipse dixit* of his decisions, yet I cannot help thinking, that the passage may be better explained by another method, which it will very easily admit of; and that his lordship has missed of the full meaning.

The child, as he observes, without doubt, means our entrance into life, the old man our departure out of it, the hawk, God; and the Hippopotamus, hatred: But the last figure, namely, the crocodile, which he translates, impudence, I rather imagine is intended to point out deceit, as he more detestable vice, and more pernicious to society, and consequently more odious in the sight of God. Though the crocodile may be somewhere used to denote impudence, yet it may with no less propriety be used for slyness and dissimulation. Crocodile's tears, who has not heard of and naturalists inform us, that it seizes its prey from ambush. These properties, to mention no more, are sufficient to shew the force such an interpretation would have, and, I must confess in my opinion, superior to the other. And the whole of the hieroglyphic seems to favour this interpretation. The admonition of the shortness of life, at the beginning, is more

proper for the treacherous than the impudent man, as being an intimation of how little consequence such crafty proceedings can be to one, who is so soon to go down in grey hairs to the grave, after he comes from the womb. But what seems to make it still more evident, is, the manner in which God's omniscience is figured out to us, by a hawk, the most quick-sighted of all animals. Now, impudence is apparent to all, and wants no such quick discernment; the hawk then, would be a needless emblem. But deceit, like the serpent, lies concealed and folded up, *latet anguis in herba*, saith the proverb, where it is least expected and most difficult to be discovered. This, experience convinces us, requires more than human foresight to detect it, and therefore a proper *monito* surely it is, that God's all-piercing eye regards it. With due deference to the memory of so great a man, I mention this, as proceeding from an oversight perhaps, or from blindly following the interpretation of others, but by no means to vindicate the hieroglyphical absurdities. If it may add to the entertainment of your readers it will sufficiently repay the trouble of penning it.

Your, &c.

I. S. C.

To the AUTHOR of the LONDON MAGAZINE.

S I R,

April 10, 1764.

NOTHING, I think, has contributed so much to protract metaphysical disputes as the contending parties making use of the same terms in different senses, and at different times by the same person. Give me leave to mention an instance taken from the famous dispute betwixt Mr. Jackson and Mr. Dudgeon concerning our ideas, in which it is not much to be wondered at, that their arguments were so little satisfactory to each other, when they differed so much about the sense of the term, idea, so common in their letters. Mr. Jackson says that an idea, is the perception of an object, and not in itself an object. And Mr. Dudgeon says, who herein differs from him, that the act of perception and the idea perceived are different things, existing both in the mind, from whence he infers an active being that affects his



his mind. Now does he not herein contradict himself, by saying the act of perception is in his mind, and inferring an active being, as productive of the thing perceived? Can the same act that is the cause of the idea or thing perceived, be both in and on the mind, or can the idea or thing perceived be an effect of any active being on the mind, and yet be in the mind unperceived, waiting for the mind's act of perception to be perceived?—You see both these gentlemen talk of an act of perception, as if perception was an operation of the mind, whereas I rather think it to be an operation on the mind, whose effect is a sensation in the mind, and not an idea thereof.

Mr. Jackson is not very clear in his expression, but I think we are to understand him, that it is the perception and not the object, that is an idea; and of what Mr. Dudgeon says, that it is the object and not the perception that is so. Now let us put the question, whether colour is an idea or not? If it be an object, it is not an idea in Mr. Jackson's sense, but the perception thereof is the idea; but what perception of colour is there distinct from colour? Indeed there may be a conception of something operating on the mind in the production of this colour, but this conception, though it may be an idea, cannot be the idea of colour. Then again in Mr. Dudgeon's sense of the word idea, if the colour be perceived as a thing or idea, what is the perception distinct from it that is not an idea, is it an act of the mind? But how do we know that the mind acts on colour as an object? is it not rather something distinct from the mind, that acts on it for the production of colour. The colour surely does not act on the mind, nor the mind on the colour. And therefore I conclude that the colour is only in the mind, not as an object but as an affection, or accident of the mind, and that it would be very improper to call it an idea; let us then keep to the term sensation when we have occasion to speak of it, the sense of which is hardly ever mistaken. Perceptions, therefore, I should chuse always to have confined to the same meaning as sensations, as effect of actions on the mind. And conceptions, or ideas, be considered only as acts of the mind such

as imaginations, whose objects are all external to the mind, not as sensible objects exercising their images or forms in the mind, but as instrumental in the production of sensations only; these objects may in some sense be called sensible ones, as they are concerned in the exciting our sensations, but then we have no perception of them, nor their properties of solidity, extension and figure, for these as well as body and spirit, are only known to us, in an ideal or imaginary way.

An idea or imagination is only an act of the mind, sometimes accompanied with sensations, which we annex to an imaginary form, not that they are really so in themselves, and it is under such circumstances that we say we see horses, houses, gardens, plantings, &c. whereas, in fact, we only see the colour, and imagine the figure, and where we have not had the experience of exercising several of our organs of sense, we often err in point of exact dimensions, though we are pretty exact as to similarity of form; for I think it would be ridiculous to suppose the forms which we imagine to be really contained in our minds. Some times we think of the form of a horse for instance, when we have no sensations in our mind, this may be called an abstract or reflex idea, but we never think that form to be actually in our mind, but always assign some place to it external to our bodies, as much as we do when we have the sensation of the colour of the horse present with the form; and the operation of the mind I take to be the same in both cases; those operations are the ideas, of which the sensations make no part, being the effect of something on the mind. When these two operations take place at the same time we say, we see, feel, &c. things; and when the sensations are absent, or the operation of that something which occasions them, then we can only imagine, or think of things and say, we have ideas thereof, though our ideas are equally employed when the sensations are present to the mind. There is one great difficulty occurs which I cannot account for, if the colour is in the mind, and the extension without it, and that is, how the mind can be so framed as to imagine the colour allowed to be in it, to be at a distance from our bodies, where



it imagines the horse to be whose colour we suppose it? But is it less difficult upon supposition that the colour and form are united in the same place, to account why the colour of the horse alters at every motion of the eye, and the form continues invariably the same, while the distance of the horse continues the same. I am, &c.

The Author of Christianity  
older than the Religion of Nature.

## QUESTION.

A Ship denoted by A sailed from a port in lat.  $50^{\circ}$  N. between the south and west a certain distance; and

then fell in with a ship denoted by B, that had sailed from another port, (under the same meridian with the former) between the north and west. And when A on the same course had sailed 53 leagues farther, she was then parallel with the port (from whence B sailed) 60 leagues from it; and her whole distance sailed, and difference of latitude, in one sum, was 110 leagues. Each ship's course and distance sailed, from their respective ports to the place of interview, the latitude of it, and the port (from whence B departed) are required?  
I. S.

## POETICAL ESSAYS.

## ELEGY,

*Describing the Sorrow of an ingenuous Mind,  
on the melancholy Event of a licentious  
Amour.*

By Mr. SHENSTONE.

WHY mourns my friend! Why weeps  
his down cast eye? [us'd to shine?

That eye where mirth, where fancy  
Thy cheerful meads reprove that swelling  
sigh; [thine.

Spring ne'er enamel'd fairer meads than  
Art thou not lodg'd in fortune's warm  
embrace? care?

Wert thou not form'd by nature's partial  
Blest in thy song, and blest in ev'ry grace  
That wins the friend, or that enchants the  
fair?

Damon, said he, thy partial praise restrain!  
Not Damon's friendship can my peace re-  
store;

Alas! His very praise awakes my pain,  
And my poor wounded bosom bleeds the  
more:

For oh! That nature on my birth had frown'd!  
Or fortune fix'd me to some lowly cell!

Then had my bosom 'scap'd this fatal wound,  
Nor had I bid these vernal sweets, farewell.

But led by fortune's hand, her darling child,  
My youth her vain licentious bliss admir'd;  
In fortune's train the syren Flattery smil'd,  
And rashly hallow'd all her queen inspir'd.

Of folly studious, ev'n of vices vain,  
Ah vices! gilded by the rich and gay!

Tchas'd the guileless daughters of the plain,  
Nor dropt the chase, till Jessy was my prey.

Poor artless maid! To stain thy spotless name,  
Expense, and art, and toil, united strove;

To lure a breast that felt the purest flame,  
Sustain'd by virtue, but betray'd by love.

School'd in the science of Love's mazy wiles,  
I cloath'd each feature with affected scorn;  
I spoke of jealous doubts, and fickle smiles,  
And, feigning, left her anxious and forlorn.

Then, while the fancy'd rage alarm'd her care,  
Warm to deny, and zealous to disprove;  
I bade my words the wonted softness wear,  
And seiz'd the minute of returning love.

To thee, my Damon, dare I paint the rest?  
Will yet thy love a candid ear incline?  
Assur'd that virtue, by misfortune prest,  
Feels not the sharpness of a pang like mine.

Nine envious moons matur'd her growing  
shame;  
Ere while to flaunt it in the face of day;  
When scorn'd of virtue, stigmatiz'd by fame,  
Low at my feet desponding Jessy lay.

" Henry, she said, by thy dear form subdu'd,  
See the sad reliques of a nymph undone!  
I find, I find this rising sob renew'd:  
I sigh in shades, and sicken at the sun!

Amid the dreary gloom of night, I cry,  
When will the morn's once pleasing scenes  
return!

Yet what can morn's returning ray supply,  
But foes that triumph, or but friends that  
mourn!

Alas! no more that joyous morn appears  
That led the tranquil hours of spotless fame;  
For I have steep'd a father's couch in tears,  
And ting'd a mother's glowing cheek with  
shame!

The vocal birds that raise their matin strain;  
The sportive lambs, increase my pensive  
morn;

All seem to chase me from the cheerful plain,  
And talk of truth and innocence alone.



If through the garden's flow'ry tribes I stray,  
Where bloom the jessams that could once  
allure;

Hope not to find delight in us; they say,  
For we are spotless, JESSY; we are pure.  
Ye flow'rs that well reproach a nymph so frail,  
Say, could ye with my virgin fame com-  
pare?

The brightest bud that scents the vernal gale  
Was not so fragrant, and was not so fair.

Now the grave old alarm the gentler young;  
And all my fame's abhor'd contagion flee;  
Trembles each lip, and falters every tongue,  
That bids the morn propitious smile on me.

Thus for your sake I shun each human eye;  
I bid the sweets of blooming youth adieu;  
To die I languish, but I dread to die,  
Lest my sad fate should nourish pangs for  
you.

Raise me from earth; the pains of want remove,  
And let me silent seek some friendly shore!  
There only, banish'd from the form I love,  
My weeping virtue shall relapse no more.

Be but my friend; I ask no dearer name;  
Be such the meed of some more artful fair;  
Nor could it heal my peace, or chase my  
shame,

That pity gave, what love refus'd to share.  
Force not my tongue to ask its scanty bread,  
Nor hurl thy Jessy to the vulgar crew;  
Not such the parent's board at which I fed!  
Not such the precept from his lips I drew!

Haply, when age has silver'd o'er my hair,  
Malice may learn to scorn so mean a spoil;  
Envy may slight a face no longer fair;  
And pity, welcome, to my native soil."

She Spoke—nor was I born of savage race;  
Nor could these hands a niggard boon assign;  
Grateful she clasp'd me in a last embrace,  
And vow'd to waste her life in pray'rs for  
mine.

I saw her foot the lofty bark ascend;  
I saw her breast with every passion heave;  
I left her—torn from every earthly friend;  
Oh! my hard bosom, which could bear to  
leave!

Brief let me be; the fatal storm arose;  
The billows rag'd; the pilot's art was vain;  
O'er the tall mast the circling surges close;  
My Jessy—floats upon the wat'ry plain!

And—see my youth's impetuous fires decay,  
Seek not to stop reflection's bitter tear;  
But warn the frolic, and instruct the gay,  
From Jessy floating on her wat'ry bier!

#### ODE TO A SINGING BIRD.

By the late Mr. RICHARDSON, of Queen's  
College, Oxon.

O Thou that glad'st my lonesome hours  
With many a wildly warbled song;  
When melancholy round me low'rs,  
And drives her sullen storms along;

When fell adversity prepares  
To lead her delegated train,  
Pale sickness, want, remorse, and pain,  
With all her host of carking cares,—  
The friends ordain'd to tame the human  
soul, [control]  
And give the humbled heart to sympathy

Sweet soother of my misery, say,  
Why dost thou clap thy joyous wing?  
Why dost thou pour that artless lay?  
How canst thou, little prisoner, sing?  
Hast thou not cause to grieve,  
That man, unpitying man, has rent  
From thee the boon which nature meant  
Thou should'st, as well as he receive!  
The power to woo thy partner in the grove,  
To build, where instinct points, where  
chance directs to rove.

Perchance, unconscious of thy fate,  
And to the woes of bondage blind,  
Thou never long'st to join thy mate,  
Nor wishest to be unconfin'd;  
Then how relentless he,  
And fit for every foul offence,  
Who could bereave such innocence  
Of life's best blessing, liberty!  
Who lur'd thee, guileful, to his treache-  
rous snare,

To live a tuneful slave, and dissipate his care,  
But why for thee this fond complaint?  
Above thy master thou art blest:  
Art thou not free?—Yes; calm content,  
With olive sceptre sways thy breast:  
Then deign with me to live;  
The falcon of insatiate maw,  
With hooked bill and gripping claw,  
Shall ne'er thy destiny contrive:  
And every tabby foe shall mew in vain,  
While pensively demure she hears thy melt-  
ing strain.

Nor shall the fiend, fell famine, dare  
Thy wiry tenement assail;  
These, these shall be my constant care,  
The limpid fount, and temperate meal.  
And when the blooming spring  
In checquer'd livery robes the fields,  
The fairest flow'rets nature yields,  
To thee officious will I bring;  
A garland rich thy dwelling shall entwine,  
And Flora's freshest gifts, thrice happy bird,  
be thine.

From drear oblivion's gloomy cave  
The powerful muse shall wrest thy name,  
And bid thee live beyond the grave,—  
This meed she knows thy merits claim;  
She knows thy liberal heart  
Is ever ready to dispense  
The tide of bland benevolence,  
And melody's soft aid impart;  
Is ready still to prompt the magic lay,  
Which hushes all our griefs, and charms our  
pains away.



Ere while, when brooding o'er my soul,  
Frown'd the black demons of despair,  
Did not thy voice their power controul,  
And oft suppress the rising tear?  
If fortune should be kind,  
If e'er with affluence I'm blest,  
I'll often seek some friend distress'd,  
And, when the weeping wretch I find,  
Then, tuneful Moralist, I'll copy thee,  
And solace all his woes with social sympathy.

Mr. WOODWARD'S PROLOGUE.

*Spoke at his Benefit, at the Theatre Royal  
in Covent-Garden, to a new Farce call'd  
FALSE CONCORD.*

WITH due respect and gratitude I bend,  
And thank, for every favour, every  
friend;

For candor, to each effort I have made,  
For smiles, which every effort have o'erpaid;  
Such kind indulgence let me still obtain,  
And spite shall aim her venom'd darts in vain!  
What spite?—What Darts?—Methinks each  
hearer cries:

Hast met with evil Tongues?—Or evil Eyes?  
Hast thou been fascinated, man?—confess;  
What could provoke th' attack?—Why, as  
I guess—

A little too much undeserv'd success!  
For this—in truth I know no other cause,  
Has malice lurk'd to rob me of applause!  
Hence, the *vile charge* has labour'd to obtrude,  
A charge as *false* as *soul*;—INGRATI-  
TUDE!—

HIBERNIA's sons th' imagin'd insult feel,  
And judge with *honest*, tho' *mistaken* zeal!  
This grateful heart could never feel the crime  
To wrong, in thought, that hospitable clime;  
A simple prologue, on myself a sneer,  
Made up of whim and mirth, and spoke last  
year,

The prodigal return'd \* was all th' offence—  
Lines free, I think, from malice as from *senfel*  
Ow'd such a random shaft a wound intend?  
"I've shot my arrow o'er the house and hurt  
my friend." [gag]

Something too much of this—new scenes en-  
My hopes and fears, and call 'em to the stage;—  
Thrown on the parish—pity to bespeak—  
A helpless FOUNDLING, tender yet and weak,  
Sneering and paking sought my humble door,  
And on the Rags, it's name a label bore:

I took it up, view'd well it's air and face,  
And lik'd it—for it seem'd of English race,  
Some make and fashion in the brat you'll see,  
Too tight for French—too muscular—too free;  
Then let your wonted charity now shed  
A kind of cradle blessing on his head;  
Now for him on his feet—and stronger grown,  
Next year, perhaps, you'll see him run a-  
line.

\* See our last vol. p. 160.

† His two first elegies being seen by some gentlemen and ladies in London in Manuscript, they made  
small Subscription for him; and these were the friends he speaks of.  
April, 1764.

*Written near the Entrance of a fine Wood.*

FOWLER, cast thy gun behind,  
Ere thou tread'st this gentle grove;  
None enter here of ruthless mind,  
None that are not friends to love.  
Hark, how all the air is ringing!  
Mark yon blackbird on the spray,  
How joyous is his vernal singing!  
And would'st thou sport his life away?  
Ruthless lord! thy trust abusing,  
Sent to rule this earthly ball,  
As patron, kindly all things using,  
Not to tyrannize o'er all.  
See from out the sylvan hiding,  
The little lev'et dares to stray;  
To crop the food of heaven's providing,  
And would'st thou sport his life away?  
Beware lest justice, long forbearing,  
Stir up the snake in grass conceal'd;  
Whilst others death thou art preparing,  
Thine own may suddenly be seal'd.  
If thou hast spark of human nature,  
Thou need'st must hate what thou art do-  
ing:  
If thou art not a savage creature,  
Thou ne'er wilt sport with other's ruin.  
Are wife and children thy possessing?  
Loving each, each blooming gay?  
If thou dost hope for heaven's dear blessing,  
O cast thy murdering gun away.

So shall prosperity smile on thee,  
Bounteous Plenty swell thy store,  
Blast and storm shall ever shun thee,  
Gentle fairies sweep thy door.

INSCRIPTION on a Tree near a Still-  
Water.

LET none approach this peaceful tide,  
Who hath not gentleness for guide:  
Q! let no hook's tormenting pain,  
Or worm, or sportive fish profane;  
Angler, attend compassion's call,  
For know, the Gods can feel for all.

BENEVOLENCE. An ODE.

*Inscribed to my Friends †.*

By James Woodhouse, a Journeyman-Shoe-  
Maker.

LET others boast Palladian skill  
The sculptur'd dome to raise;  
To scoop the vale, to swell the hill,  
Or lead the smooth, meand'ring rill  
In ever-varying maze;  
To strike the lyre  
With Homer's fire,  
Or Sappho's tender art;  
Or Handel's notes with sweeter strains inspire:  
O'er Phidias' chissel to preside,  
Or Titian's glowing pencil guide  
Through ev'ry living part.

Ah!

D d



Ah! What avails it thus to shine,  
 By ev'ry art refin'd;  
 Except BENEVOLENCE combine  
 To humanize the mind;  
 The Parian floor,  
 Or vivid cieling, fresco'd o'er,  
 With glaring charms the gazing eye may fire;  
 Yet may their lords, like statues cold,  
 Devoid of sympathy, behold  
 Fair worth with penury depress'd,  
 Or indigence, expire;  
 Nor ever know the noblest use of gold.  
 'Tis yours, with sympathetic breast  
 To stop the rising sigh,  
 And wipe the tearful eye,  
 Nor let repining merit sue unblest:  
 This is a more applausive tale  
 Than spending wealth  
 In gorgeous waste,  
 Or with dire luxury destroying health;  
 It sweetens life with ev'ry virtuous joy,  
 And wings the conscious hours with gladness  
 as they fly.

*The ODE on the royal Nuptials, by Mr. Victor, inserted at p. 103, being printed from an incorrect Copy, the following Lines, which should have concluded that Ode, were omitted. A Lady of Quality obliged the Author with them.*

ALL that the heart can wish, or can en-  
 gage,  
 Untainted with the follies of the age;  
 Great without pride; charming in every  
 place,  
 uniting ease with dignity and grace!  
 Sweet as the fragrant roses newly blown;  
 Tempting as fruit just to perfection grown,  
 And worthy to possess the imperial throne.

#### A PROTEST.

*Die Martis, 29 Novembris, 1763.*

THE order of the day for resuming the  
 adjourned consideration of the report of  
 the conference with the commons on Friday  
 last being read,

The third resolution of the commons was  
 read, as follows:

“Resolved by the Commons in Parliament  
 assembled,

That privilege of parliament does not ex-  
 tend to the case of writing and publishing  
 seditious libels, nor ought to be allowed to  
 obstruct the ordinary course of the laws, in  
 the speedy and effectual prosecution of so he-  
 nous and dangerous an offence.”

And it being moved to agree with the  
 commons in the said resolution,

The same was objected to. After long de-  
 bate thereupon,

The question was put, whether to agree  
 with the commons in the said resolution.

It was resolved in the affirmative.

#### Dissentient.

BECAUSE we cannot hear without the  
 utmost concern and astonishment, a doc-  
 trine advanced now, for the first time, in this  
 house, which we apprehend to be new, dan-  
 gerous, and unwarrantable, viz. That the  
 personal privilege of both houses of parlia-  
 ment has never held, and ought not to hold  
 in the case of any criminal prosecution what-  
 soever: by which, all the records of parlia-  
 ment, all history, all the authorities of the  
 gravest and interest judges, are entirely re-  
 scinded; and the fundamental principles of  
 the constitution, with regard to the inde-  
 pendance of parliament, torn up and buried  
 under the ruins of our most established rights.

We are at a loss to conceive, with what  
 view such a sacrifice should be proposed, un-  
 less to amplify, in effect, the jurisdiction of  
 the inferior, by annihilating the ancient im-  
 munities of this superior court.

The very question itself, proposed to us  
 from the commons, and now agreed to by the  
 lords, from the letter and spirit of it, contra-  
 dicts this assertion; for, whilst it only nar-  
 rows privilege in criminal matters, it estab-  
 lishes the principle. The law of privilege,  
 touching imprisonment of the persons of  
 lords of parliament, as stated by the two  
 standing orders, declares generally, that no  
 lord of parliament, sitting the parliament, or  
 within the usual times of privilege of par-  
 liament, is to be imprisoned or restrained,  
 without sentence or order of the house, un-  
 less it be for treason or felony, or for refus-  
 ing to give security for the peace, and refus-  
 al to pay obedience to a writ of Habeas Cor-  
 pus.

The first of these orders was made after  
 long consideration, upon a dispute with the  
 king, when the precedents of both houses  
 had been fully inspected, commented upon,  
 reported, and entered in the Journals, and  
 after the king's council had been heard. It  
 was made in sober times, and by a house of  
 peers, not only loyal, but devoted to the  
 crown; and it was made by the unanimous  
 consent of all, not one dissenting. These  
 circumstances of solemnity, deliberation, and  
 unanimity, are so singular and extraordinary,  
 that the like are scarce to be found in any  
 instance among the records of parliament.

When the two cases of surety for the peace  
 and Habeas Corpus, come to be well consid-  
 ered, it will be found that they both breathe  
 the same spirit, and grow out of the same  
 principle.

The offences that call for surety and Ha-  
 beas Corpus, are both cases of present con-  
 tinuing violence, the proceedings in both  
 have the same end, viz. to repress the force  
 and to disarm the offender.

The proceeding stops in both when the  
 end is attained; the offence is not prosecut-  
 ed nor punished in either; the necessity is  
 equal in both, and, if privilege was allowed



in either, so long as the necessity lasts, a lord of parliament would enjoy a mightier prerogative than the crown itself is intitled to. Lastly, they both leave the prosecution of all misdemeanours still under privilege, and do not derogate from that great fundamental, that none shall be arrested in the course of prosecution for any crime under treason and felony.

These two orders comprise the whole law of privilege, and are both of them standing orders, and consequently the fixed laws of the house by which we are all bound, until they are duly repealed.

The resolution of the other house, now agreed to, is a direct contradiction to the rule of parliamentary privilege, laid down in the aforesaid standing orders, both in letter and spirit. Before the reasons are stated, it will be proper to premise two observations;

First, that in all cases, where security of the peace may be required, the lord cannot be committed till that security is refused, and consequently the magistrate will be guilty of a breach of privilege, if he commits the offender without demanding that security.

Secondly, although the security should be refused, yet, if the party is committed generally, the magistrate is guilty of a breach of privilege, because the party refusing ought only to be committed till he has found sureties; whereas, by a general commitment, he is held fast, even though he should give sureties and can only be discharged by giving bail for his appearance.

This being premised, the first objection is to the generality of this resolution, which as it is penn'd, denies the privilege to the supposed libeller, not only where he refuses to give sureties, but likewise throughout the whole prosecution, from the beginning to the end; so that, although he should submit to be bound, he may, notwithstanding, be afterwards arrested, tried, convicted, and punished, sitting the parliament, and without leave of the house, wherein the law of privilege is fundamentally misunderstood, by which no commitment whatsoever is tolerated, but that only, which is made upon the refusal of the sureties, or in the other excepted cases of treason or felony, and the Habeas Corpus.

If privilege will not hold throughout in the case of a seditious libel, it must be because that offence is such a breach of the peace, for which sureties may be demanded; and if it be so, it will readily be admitted, that the case comes within the exception, "Provided always, that sureties have been refused, and that the party is committed only till he shall give sureties."

But first, this offence is not a breach of the peace, it does not fall within any definition of a breach of the peace, given by any of the good writers upon that subject, all which

breaches, from menace to actual wounding, either alone or with a multitude, are described to be acts of violence against the persons, goods, or possessions, putting the subject in fear by blows, threats, or gestures. Nor is this case of the libeller ever enumerated in any of these writers among the breaches of peace; on the contrary, it is always described as an act tending to excite, provoke, or produce breaches of the peace; and although a secretary of state may be pleased to add the enflaming epithets of treasonable, traitorous, or seditious, to a particular paper, yet no words are strong enough to alter the nature of things. To say then, that a libel, possibly productive of such a consequence, is the very consequence so produced, is, in other words, to declare, that the cause and the effect are the same thing.

Secondly, But if a libel could possibly, by any abuse of language, or has any where been called, inadvertently, a breach of the peace, there is not the least colour to say, that the libeller can be bound to give sureties for the peace, for the following reasons:

Because none can be so bound, unless he be taken in the actual commitment of a breach of the peace; striking or putting some one or more of his majesty's subjects in fear:

Because there is no authority, or even ambiguous hint in any law-book, that he may be so bound:

Because no libeller, in fact, was ever so bound:

Because no crown-lawyer in the most despotic times, ever insisted he should be so bound, even in days when the press swarmed with the most invenom'd and virulent libels, and when the prosecutions rag'd with such uncommon fury against this species of offenders; when the law of libels was ransacked every term; when loss of ears, perpetual imprisonment, banishment, and fines of ten and twenty thousand pounds, were the common judgments in the star-chamber, and when the crown had assumed an uncontrollable authority over the press.

Thirdly, This resolution does not only infringe the privilege of parliament, but points to the restraint of the personal liberty of every common subject in these realms, seeing that it does in effect, affirm, that all men, without exception, may be bound to the peace for this offence.

By this doctrine every man's liberty, privileged as well as unprivileged, is surrendered into the hands of a secretary of state; he is by this means empowered, in the first instance, to pronounce the paper to be a seditious libel, a matter of such difficulty, that some have pretended, it is too high to be intrusted to a special jury of the first rank and condition; he is to understand and decide by himself, the meaning of every innendo; he is to determine the tendency thereof, and brand it with his own epithets; he is to adjudge the party guilty,



and make him author or publisher as he sees good; and lastly, he is to give sentence by committing the party.—All these authorities are given to one single magistrate, unassisted by council, evidence, or jury, in a case where the law says, no action will lie against him, because he acts in the capacity of a judge.

From what has been observed, it appears to us, that the exception of a seditious libel from privilege, is neither founded on usage or written precedents, and therefore this resolution is of the first impression; nay it is not only a new law, narrowing the known and ancient rule, but it is likewise a law *ex post facto*, *pendente lite*, *et ex parte*, now first declared to meet with the circumstances of a particular case; and it must be further considered, that this house is thus called upon to give a sanction to the determinations of the other, who have not condescended to confer with us upon this point till they had pre-judged it themselves.

This method of relaxing the rule of privilege, case by case, is pregnant with this farther inconvenience, that it renders the rule precarious and uncertain; who can foretell where the house will stop, when they have by one infringement of their own standing orders, made a precedent, whereon future infringements may, with equal reason, be founded? How shall the subject be able to proceed with safety in this perilous business? How can the judges decide on these or the like questions, if privilege is no longer to be found in records and journals, and standing orders. Upon any occasion privilege may be enlarged and no court will venture, for the future, without trembling, either to recognize or to deny it.

We manifestly see this effect of excluding by a general resolution, one bailable offence from privilege to day, that it will be a precedent for doing so by another, upon some future occasion, till, instead of privilege holding in every case not excepted, it will at last, come to hold in none, but such as are expressly saved.

When the case of the *Habeas Corpus* is relied upon, as a precedent to enforce the declaration, the argument only shews, that the mischief aforementioned has taken place already, since one alteration, though a very just one, not at all applicable to the present question, is produced to justify another that is unwarrantable.

But it is strongly objected, that if privilege be allowed in this case, a lord of Parliament might endanger the constitution by a continual attack of successive libels; and if such a person should be suffered to escape, under the shelter of privilege with perpetual impunity, all government would be overturned, and therefore it is inexpedient to allow the privilege now when the time of privilege, by prorogations, is continued for ever, without an interval.

This objection shall be answered in two ways.

*First*, If inexpediency is to destroy personal privilege in this case of a seditious libel, it is at least as inexpedient, that other great misdemeanours should stand under the like protection of privilege; neither is it expedient that the smaller offences should be exempt from prosecution in the person of a lord of parliament; so that if this argument of inexpediency is to prevail, it must prevail throughout, and subvert the whole law of privilege in criminal matters; in which method of reasoning there is this fault, that the argument proves too much.

If this inconvenience be indeed grievous, the fault is not in the law of privilege, but in the change of times, and in the management of prorogations by the servants of the crown, which are so contrived, as not to leave an hour open for justice. Let the objection nevertheless be allowed in its utmost extent, and then compare the inexpediency of not immediately prosecuting on one side, with the inexpediency of stripping the parliament of all protection from privilege, on the other. Unhappy as the option is, the public would rather wish to see the prosecution for crimes suspended, than the parliament totally unprivileged, although, notwithstanding this pretended inconvenience is so warmly magnified on the present occasion, we are not apprized that any such inconvenience has been felt, tho' the privilege has been enjoyed time immemorial.

But the second and best answer, because it removes all pretence of grievances, is this, that this house, upon complaint made, has the power (which it will exert in favour of justice) to deliver up the offender to prosecution.

It is a dishonourable and an undeserved imputation upon the lords, to suppose, even in argument, that they would nourish an impious criminal in their bosoms, against the call of offended justice, and the demand of their country.

It is true, however, and it is hoped that this house will always see (as every magistrate ought that does not betray his trust) that their member is properly charged; but when that ground is once laid, they would be ashamed to protect the offender one moment; surely this trust (which has never yet been abused) is not too great to be reposed in the high court of parliament; while it is lodged there, the public justice is in safe hands, and the privilege untouched; whereas, on the contrary, if for the sake of coming at the criminal at once, without this application to the house, personal privilege is taken away, not only the offender, but the whole parliament, at the same time, is delivered up to the crown.

It is not to be conceived, that our ancestors when they framed the law of privilege would have left the case of a seditious libel (as it is called) the only unprivileged misdemeanour. Whatever else they had given up to the crown they would have guarded the case of supposed libels.



libels above all others, with privilege, as being most likely to be abused by outrageous and vindictive prosecutions.

But this great privilege had a much deeper reach, it was wisely planned, and hath hitherto, through all times, been resolutely maintained.

It was not made to screen criminals, but to preserve the very being and life of parliament; for when our ancestors considered, that the law had lodged the great powers of arrest, indictment, and information, in the crown, they saw the parliament would be undone, if during the time of privilege, the royal process should be admitted in any misdemeanour whatsoever, therefore they excepted none. Where the abuse of power would be fatal, the power ought never to be given, because redress comes too late.

A parliament under perpetual terror of imprisonment, can neither be free, nor bold, nor honest; and if this privilege was once removed, the most important question might be irrecoverably lost, or carried by a sudden irruption of messengers, let loose against the members half an hour before the debate.

Lastly, as it has already been observed, the case of supposed libels is, of all others, the most dangerous and alarming to be left open to prosecution during the time of privilege.

If the severity of the law touching libels, as it hath sometimes been laid down, be duly weighed, it must strike both houses of parliament with terror and dismay.

The repetition of a libel, the delivery of it unread to another, is said to be a publication nay, the bare possession of it has been deemed criminal, unless it is immediately destroyed or carried to a magistrate.

Every lord of parliament then, who hath done this, who is falsely accused, nay, who is though without any information, named in the Secretary of State's warrant, has lost his privilege by this resolution, and lies at the mercy of that enemy to learning and liberty, the messenger of the press.


For these and many other forcible reasons, we hold it highly unbecoming the dignity, gravity, and wisdom of the house of peers, as well as their justice, thus judicially to explain away and diminish the privilege of their persons, founded in the wisdom of ages, declared with precision in our standing orders, so repeatedly confirmed, and hitherto preserved inviolable by the spirit of our ancestors, called to it only by the other house, on a particular occasion, and to serve a particular purpose, *ex post facto, ex parte, et pendente lite* in the courts below.

Temple,	Abergavenny,
Bolton,	Fred. Litch. Cow.
Grafton,	Ashburnham,
Cornwallis,	Fortescue.
Portland,	Grantbam,
Bristol,	Walpole,
Devonshire,	Ponsonby,
Scarborough,	Folkestone.
Dacre.	

T H E

# Monthly Chronologer.

State of what passed in the Senate House, at Cambridge, on March 30.

T is the office of the proctors of the university to collect the votes in the regent-house, and when a division happens, each of them generally takes a different side of the house, and marks down upon a line, with his pen, the *placet* or *non placet* of every person that votes on that side of the house which belongs to him, and then they both meet together and cast up the numbers and join in declaring to the house, that the grace either *placet* or *non placet* is, or that *paria sunt suffragia*: And the house must submit to their declaration. But the proctors in the present case, that them might be no room to suspect either of them of error or partiality in collecting the votes, departed from their general practice, and went together to every member of the house that voted, and each

of them marked down the *placet* or *non placet* of every voter; and when they had done this, before they had put down their own votes, their appeared in both their accounts,

Placets	—	—	107
Non placets	—	—	107

Each of the proctors then put down his own vote without putting down his brother's; and as they voted on opposite sides, the numbers then stood in Mr. Longmire's account,

Placets	—	—	108
Non placets	—	—	107

In Mr. Forster's,

Placets	—	—	107
Non placets	—	—	108

But they immediately saw their mistake, and each of them corrected it by putting down the others vote, and were agreed that the members were equal.—But some friends of Lord Hardwicke, who knew, that an equality of votes rejected the grace, laid hold of the difference which first appeared in the proctors accounts, and insisted that difference in their computation



computation was a sufficient reason for having another scrutiny; and Mr. Longmire, though he had acknowledged the votes to be equal on both sides, joined with them in insisting on the same thing, and refused to make a return without it. Those who voted for Lord Sandwich to be high steward of that university against Lord Hardwicke, refused to admit of another scrutiny, because Mr. Longmire, as well as Mr. Forster, had acknowledged the equality of votes to several members of the senate; and Mr. Forster refused to collect the votes again, because he was satisfied of the exactness of the computation, and his brother and he had agreed in the members. Mr. Longmire has since acknowledged in the presence of several gentlemen, who are ready to attest it, that the votes were equal; though he refused to concur with Mr. Forster in making that return in the senate-house, and afforded a pretence to the vice-chancellor for dissolving the congregation, without giving Lord Hardwicke's opponents an opportunity of proposing another candidate. Some of Lord Hardwicke's friends doubted what effect an equality of votes had on the grace; and a few thought, that the proctors ought to collect the votes again, notwithstanding the constant usage of the university to consider an equality of votes as a negative.

On the 7th of March his royal highness the duke of York left the court of Turin. The next day he arrived at Milan, on the 14th at Parma, and on the 16th at Florence, at all which places he has been received with every honour that could be conferred upon him, in the character of earl of Ulster, under which he travels. (See p. 157.)

Wolfenbüttele, April 9. The 25th instant the court of Brunswick, with the hereditary princess, whom we had the pleasure of seeing for the first time, arrived here, and were received with acclamations, ringing of bells, and firing of cannon. The road, for the distance of half a league from the town, was filled with all the companies of tradesmen; and two battalions of prince Frederick's regiment paraded between the town and the castle. The militia was under arms. Flowers were scattered, by young girls in the dress of shepherdesses, before her royal highness, from her descending from her coach to the foot of the stair-case, and the students sang in full chorus some pieces of poetry, in honour of the Brunswick family. Mr. Weichman made an oration to her royal highness, in English. After breakfast, the prince and princess went to see our library, which is, next to that of Vienna, the finest in Germany; and at four in the afternoon they set out again for Brunswick. (See before, p. 156.)

A barbarous murder was committed on the 25th ult. upon the body of Henry Knight, who kept the masquerade of Grandy's head ale-house, near Fountain stairs, Rotherhithe, and

his wife, by one William Corbet, their lodger, for which he was taken into custody the same night.

On the 27th the earl of Moreton was elected president of the royal society, in the room of the late earl of Macclesfield.

On the 28th, Robins, Baker, Rockett, and Steward, were executed at Tyburn, pursuant to their sentence. (See p. 158.)

A clothier's work shop at Roads, Hants, was, on the same day, consumed by fire, with the whole stock of cloth, to the damage of many thousand pounds.

On the 29th, at the anniversary feast of the London hospital, 1714 l. 13 s. 4 d. was collected for that charity. [At the anniversary feast of the Magdalen charity, this month, 1200 l. 15 s. 11 d. was collected:—At that of the small-pox hospital, 553 l. And at that of the lying-in charity for married women, at their own habitations, a considerable sum.]

On the 31st a marble statue of his majesty (which is found much fault with) at the Royal Exchange, was exposed to publick view by removing the scaffolding, &c.

SUNDAY, April 1.

The marquis de Paolucci, envoy extraordinary from the duke of Modena, had an audience of leave of his majesty.

WEDNESDAY, 4.

M Feronce, envoy extraordinary from the duke of Brunswick, had an audience of leave of his majesty.

THURSDAY, 5.

His majesty went to the house of peers, and gave the royal assent to such bills as were ready for that purpose.

FRIDAY, 6

William Corbet, for the murder of Mr. and Mrs. Knight (see before) was executed on Kennington Common, pursuant to his sentence, and afterwards his body was hung in chains.

MONDAY, 9.

Several thousand journeymen silk weavers went in procession from Spitalfields, and waited on his majesty at the queen's palace in St. James's Park, with a petition, representing the miserable condition themselves and families are reduced to, by the clandestine importation of French silks. They waited before the court-yard, and two gentlemen, belonging to the said manufactory, had the honour to be introduced to his majesty's presence, and present their petition, which his majesty received in the most gracious manner, and gave for answer, That he would send immediate orders to put an entire stop to the importation of French silks; that an affair of such consequence to the kingdom should be properly laid before the parliament, and that they might depend on his care and protection.

TUESDAY,



TUESDAY, 0.

Came on the election for a governor and deputy-governor of the Bank of England, for the year ensuing, when the following gentlemen were chosen, viz.

John Weyland, Esq; governor.

Matthew Clarmont, Esq; deputy governor.

And the next day came on the election for the twenty-four directors, when the following gentlemen were chosen :

Samuel Beaghtcroft, Charles Boehm, William Bowden, Barthol. Burton, Peter Du Cane, William Ewer, Esqrs. Sir S. Fludyer, bart. Richard Neave, Edw. Payne, Tho. Plummer, Alex. Sheafe, Robert Salusbury, John Sargent, James Sperling, Peter Theobald, Harry Thompson, Robert Marsh, Daniel Booth, jun. William Cooper, Philip de la Haize, Robert Dingley, \* John Fisher, \* Christ. Hake, jun. Edmund Wilcox, Esqrs.

Those marked thus \* were never in the direction before.

WEDNESDAY, 11.

The ballot was closed for the election of directors of the East-India company, for the year ensuing; and 20 scrutineers were appointed, 10 on each side, who were to make their report to a general court at the East India house at six o'clock the next day in the evening. A very numerous body of proprietors were accordingly assembled; but it was near eight before the scrutineers made their report, which was as follows :

John Harrison, Esq;	—	—	1174
John Boyd, Esq;	—	—	1173
Henry Hadley, Esq;	—	—	1162
John Purling, Esq;	—	—	1159
William Barwell, Esq;	—	—	1157
William Webber, Esq;	—	—	1157
Charles Chambers, Esq;	—	—	1152
Christopher Baron, Esq;	—	—	1147
John Manship, Esq;	—	—	1131
Charles Cutts, Esq;	—	—	1117
George Dudley, Esq;	—	—	1105
Henry Crabb Boulton, Esq;	—	—	1094
* Thomas Rous, Esq;	—	—	642
† William Snell, Esq;	—	—	637
† Frederick Pigou, Esq;	—	—	634
† Robert Burrow, Esq;	—	—	610
* Henry Savage, Esq;	—	—	620
† Giles Rooke, Esq;	—	—	618
† Peter Du Cane, jun. Esq;	—	—	614
† William Thornton, Esq;	—	—	614
* John Roberts, Esq;	—	—	605
* George Cummings, Esq;	—	—	604
† Richard Smith, Esq;	—	—	604
† Laurence Sullivan, Esq;	—	—	604

Of the above, the 12 without any mark were in both lists. The eight marked thus † were in the house list; and the four \* were in the proprietors-list.

The following gentlemen were scrutineers on the above occasion :

Richard Crabb Sir James Hodges, John Platt, William Cholwick, James Teinney, Robert Kellier, John Durrand, Ebenezer Blackwell,

Barrington Bugin, Capt. Thomas Taylor, Andrew Moffat, George Stainforth, John Wilkinson, Henry Norris, Joseph Cruttenden, John Wilkinson, Mark Cramer, George Challiner, Monkhouse Davison, George Edwards.

The delay of the scrutineers in making their report was occasioned by an examination into the validity of the ballot of Mrs. Drummond, lady to the archbishop of York, viz. whether she could be considered as a stockholder in her own right; to determine which the scrutineers found it necessary to send a deputation from their body, to his grace, and Mrs. Drummond to make the proper enquiries, and the company's charter was likewise referred to. The result was, that this lady's ballot was not admitted by the scrutineers.

Upon this very nice circumstance did the certainty of Mr. Sullivan's being elected into the direction depend. For it is remarkable, that the numbers of the 3 last gentlemen were equal, being 604 for each; and if Mrs. Drummond's ballot had been admitted (which was for the proprietors-list) it would have given Mr. Cummings 605, and put Mr. Cruttenden upon an equality with Mr. Smith and Mr. Sullivan: Mr. Cummings would consequently have been elected by a clear majority; and it must have been determined by casting lots (agreeable to the charter) which two out of Messrs. Smith, Sullivan, and Cruttenden, should come into the direction.

The following are the numbers the several gentlemen had on the ballot, who were not elected directors of the East India company, at the late election. Those marked † were in the house list and those \* were in the proprietors list.

* Edward Holden Cruttenden, Esq;	603
† Thomas Waters, Esq;	601
† William George Freeman Esq;	595
† Charles Gough, Esq;	592
† George Hayley, Esq;	592
* Fitz-Williams Barrington, Esq;	584
* Samuel Harrison, Esq;	582
* Richard Becher, Esq;	580
* Thomas Saunders, Esq;	571
* Luke Serafton, Esq;	565
* John Pardoe, Esq;	562
* Thomas Allan, Esq;	545

FRIDAY, 13.

At a court of directors of the East-India company, Thomas Rous, Esq; was chosen chairman, and Henry Crabb Boulton, Esq; deputy chairman.

SATURDAY, 14.

The house of Mrs. Nash, in James-street, Grosvenor-square, was consumed by fire, and six persons perished in the flames.

Mr. Bourne's new-invented waggon was tried on the New Road, Islington, (before several of the gentlemen belonging to the society of Arts) against a common broad-wheel waggon. Each of them had five tons weight of stone, and was drawn by eight horses,



horses, and the two carriages went a-breast from the New Road just by Pancras, to within a small distance of the Dog-house Bar. On their return they were tried with four horses each for a little way, when it appeared that the common broad-wheel waggon had greatly the advantage, and that the four horses in it did not work seemingly harder than the eight in the new-invented one. Mr. Bourne's waggon does not seem calculated for roads that are uneven, or for steep ascents; but on the other hand, by the situation of the wheels, it can pass on narrower roads than the broad-wheel carriages, and can turn in very little space, and without difficulty. It is the stage-waggon from Leominster to London, and has been two journeys. There is no doubt but a gratuity will be made to the inventor for his time, trouble, and expence, by which he has endeavoured to deserve well of the public. (See the foregoing plate.)

WEDNESDAY, 18.

At a court of directors held at the India house in Leadenhall-street, in order to settle the committee, &c. for the ensuing year, the following gentlemen, viz. John Boyd Esq; Giles Rook Esq; Richard Smith, Esq; Laurence Sullivan, Esq; and William Thornton, Esq; who at the last court it was said would disqualify themselves, were at the intercession of several proprietors, prevailed on to resume their places; after which the different committees were settled, and all things amicably adjusted.

SATURDAY, 21.

*Extract of a Letter from Sir William Johnson, dated at Johnson Hall, March 2, 1764.*

IT gives me great pleasure that I can now inform you of the success of the first party of Indians, whom I lately sent out; an express being just arrived with letters, acquainting me, that on the 26th ult. in the evening, near the main branch of Susquehanna, as they were pursuing their rout, they received advice, that a large party of our enemies the Delawares were encamped at a small distance, on their way to attack some of the settlements hereabouts; upon which intelligence they made an expeditious march to their encampment which they surrounded at day-break; then rushing upon the Delawares (who were surprised, and unable to make a defence) they made them all prisoners to the number of 47, including their chief, Captain

Bull, son to Teedyuscung, and one who has discovered great inveteracy against the English, and led several parties against them during the present Indian war: They are all fast bound, and may be expected here, under an escort, in a few days.

MONDAY, 23.

Was held a chapter of the most noble order of the garter at St. James's, to fill up the two vacancies of that order, when his majesty was pleased to invest the reigning duke of Mecklenburgh Strelitz, eldest brother to her majesty, with one, and the right hon. the earl of Halifax, one of his majesty's principal secretaries of state with the other.

Information having been given, that several of his majesty's subjects have been for a considerable time, and are now detained in France as hostages for the payment of ransom bills, which have not yet been satisfied; notice has been given in the Gazette, that in case such ransom bills are not forthwith discharged, prosecutions will be commenced in his majesty's court of admiralty against all masters, owners, and others, unjustly refusing or neglecting to pay the sums of money stipulated for the release of those unfortunate persons who have suffered so long an imprisonment.

Great quantities of French silks and laces have been seized by the custom-house officers, in the course of the month.

Numbers of hogs have been seized in Clerkenwell, &c. &c. fed with unwholesome food, some of which have been burnt, and others sold for the use of the poor.

Several bakers have been lately fined, for selling bread under weight.

## FOREIGN AFFAIRS.

WE have had no one very material article of foreign news, since our last: Nothing but dismal accounts of what the poor suffer in Spain and Italy by a famine, or want of bread; and of what the rich as well the poor are like to suffer in Poland by a contention for their crown, the last of which are so various and contradictory, that we shall not amuse our readers with any thing from thence till some more certain accounts arrive.

*The remainder of the Chronologer, the Marriages, Births, Deaths, and other usual articles omitted this month, will be inserted in our next, with the observations (after mature consideration) we have received, of the late solar Eclipse.*

*We are sorry we are obliged to defer also to our next, the many ingenious pieces in prose and verse, received from our kind Correspondents, which are approved of. A variety of other favours are under Consideration, and if not inserted, the reasons of their non-insertion will be given. Major Adams's letter to the late earl of Egremont, will also be inserted in our next.*

*The literary correspondence between two Norfolk gentlemen was received; but is of too private a nature (had it never before been made publick) for our Magazine.*